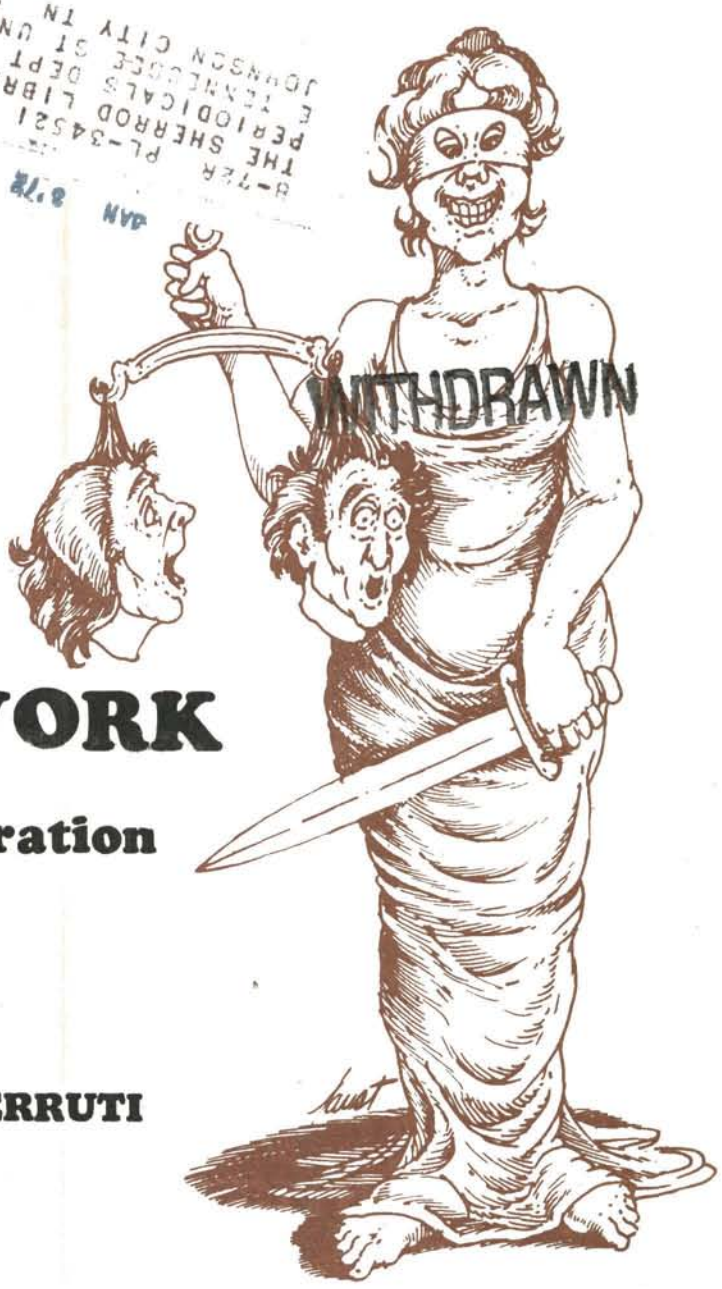
VIVIAN MERCIER on EDITH WHARTON

THE NATION

1972 50 cents

WITHDRAWN

THE SHERROD LIBRARY ... PERIODICALS DEPT ... JOHNSON CITY TN 37601



THE GRAND JURY NETWORK

low the Nixon Administration las Secretly Perverted A Traditional Safeguard Of Individual Rights

RANK J. DONNER & EUGENE CERRUTI

ETSU LIBRARY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

EDITORIALS

An Injection of Truth

This is a critical moment for the United Nations. It is critical not only in the sense that its impotence to halt a clearly foreseeable war has once again been demonstrated. We knew of that weakness before, but circumstances are different now, so the demonstration is the more damaging. China is in the U.N. Apologists can no longer say that the organization is not truly representative of the world situation. With a new Secretary-General, Kurt Waldheim, the U.N. has an opportunity to move ahead. U Thant had his virtues, but strong leadership when it was needed was not one of them. On the basis of remarks he made on accepting his new post, and because he is an experienced diplomat from Central Europe, Mr. Waldheim should give the organization the new and forceful leadership it desperately needs. With great power relationships now in flux, the U.N. may be able to play a stronger role in world affairs. It had better.

On the positive side, something has recently been added that has long been needed. Every delegate to the U.N. has an individual personal responsibility; likewise every member of the secretariat carries that moral burden. These responsibilities have rarely been demonstrated in any straightforward way. Recently Conor Cruise O'Brien's play, *Murderous Angels,* began a New York run at the Playhouse Theatre. It is about Dag Hammarskjöld and the Congo. Against the hideous background of the Pakistani-Indian war the play has a shattering impact. Particularly pertinent are the lines addressed to the members of Hammarskjöld's staff, who kept insisting that they were only "civil servants." By inescapable inference, that meant that their first loyalty was to their paychecks.

Against this background, Bhutto's angry, eloquent blast at the Security Council meeting was precisely right. One does not have to agree with the patriotic basis of his protest; *The Nation* does not. The crimes of the West Pakistanis brought on the crimes of the Bengalis. Yet one must applaud his attack on national representatives in the Security Council for their inability, as individuals, to rise to the occasion. Not one of them found means to say *something* as a human being. Even if collectively they could do nothing, were they obliged to find no words to deplore what was happening; to weep, even? Bhutto gave them what they needed, an injection of truth.

And not Bhutto alone. The resignation of Charles C. Diggs from the U.S. delegation was another instance of truth speaking to power. Diggs, a black member of Congress from Michigan, left in protest against the "stifling hypocrisy" of the Nixon Administration's policy toward black Africa. George Bush, the U.S. chief delegate, of course deplored Diggs's action. It may have come as a surprise; Diggs is a moderate-to-conservative American Negro of bourgeois background. What he did is the more effective. He spoke the plain truth—that we are a partner of Portugal against subject peoples in Africa. He has made it virtually impossible for the Administration to get anyone other than an Uncle Tom to take his place, and he showed up Bush as a mere mouthpiece.

Such actions are important. How much better it would have been if Adlai Stevenson had resigned with harsh words on any one of the several occasions when he was humiliated at the U.N.—notably at the Bay of Pigs crisis. Institutions do not reform themselves; only people can do that. If the U.N. is to survive—and with all its weaknesses it would be a calamity if it does not—men must exercise their responsibilities as men, not as robots with national labels.

Victimizing the Third World

In his devastating article "On Power as a Disease" [*The Nation,* December 20], Tristram Coffin notes in passing how federal departments work at cross-purposes —as when the Department of Agriculture pays $2 billion a year to farmers not to produce more crops, while the Department of the Interior spends billions to irrigate new farmlands to grow more food and fiber. By such absurdities we stultify only ourselves, but it is not generally known that, under the pretense of aiding developing countries, we actually injure them through similar incongruities.

An article in the November 28, 1971 *Boston Globe* ("U.S. Ideals Contradict Policy: Immigration vs. Peace Corps") by Prof. Gregory Henderson of the Fletcher School of Law and Diplomacy at Tufts University, offers a case in point. The Peace Corps, established a decade ago by President Kennedy, continues to train thousands of American youth in the languages of developing countries and in skills which these countries are assumed to need. These ambassadors of good will stay abroad a year or two and then return home. Meanwhile, about 100,000 trained professionals, native to the developing countries, are working elsewhere, many of them in the United States. Our immigration laws enable us to siphon off professionals, such as physicians, whom we need to augment our inadequate domestic supply. In fiscal 1970 we admitted more than 46,000 professional immigrants, three-quarters of them from developing countries.

At the moment we are also encouraging 140,000 foreign students to study in American universities. Half of all post-doctoral students come from abroad and 55 per cent of them wish to remain here. Of 325 South Koreans who obtained doctorates in the United States, only sixty-four have returned home. As a climax to these astonishing figures, we currently have tens of thousands of unemployed engineers, yet in 1970 we imported 9,254 engineers, most of them, Dr. Henderson says, from developing countries. Some got their training at home with American aid; others studied abroad—in England for example, on British scholarships.

"Through the preference categories of its present immigration legislation," Dr. Henderson concludes, "the United States is using its wealth, its salary levels, its research facilities, its intellectual ambience to compete without limit with developing countries for their own slender resources of trained men and women." No doubt some advantages accrue to some countries and individuals from these interchanges, but who can justify giving development aid with one hand and taking it away with the other? It is something for the Congress to look into

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

335639

Down on the Farm

It is welcome news that Sen. Adlai Stevenson, chairman of the subcommittee on Migratory Labor, will open hearings in San Francisco on January 11 (the subcommittee will move to Fresno the following day and then back to the Bay Area). It may be hoped that the subcommittee will take a broad view of its mandate. Migratory farm labor is not an issue that stands by itself, as the LaFollette committee found out during its monumental hearings in 1939-40. In California and elsewhere, migratory farm labor is related to patterns of land use, the concentration of ownership, the intrusion of corporate farming (now read "agribiz"), the problems of small farmers, and what has happened to rural life in general.

On the eve of Senator Stevenson's visit, Stanford University observed the fiftieth anniversary of its Food Research Institute. A note of uncommon good sense echoed in the papers and discussions, on matters not at all unrelated to those which will concern the Senator, his staff and his colleagues. The best strategy for developing countries, Ian D. Little of Oxford University told the conference, is to increase the demand for labor in agriculture. For those countries to spend foreign currency, always in short supply, on tractors, may result in more profits for large landowners but it may also produce a sharp displacement of rural farm workers, with little net gain in agricultural production. The better strategy would be to induce a degree of income equalization in rural areas that existing political structures will not tolerate. Similarly, the best practical way to cope with the population "explosion," so-called, is to improve the conditions of rural life. But people cannot be kept "down on the farm," if no farm is willing to keep them.

Nor is this axiom limited to developing countries. In the United States we profess to be concerned about urban ghettos, traffic congestion, ecological hazards and population increase; but it is only, on an average, about once every thirty years that we even go through the motions of demonstrating a concern for the well being of rural residents and the viability of rural communities. Senator Stevenson's committee has a chance, therefore, to bring forward some issues that stand in need of close scrutiny.

What Goes On Down There?

The known facts are these. Members of a wealthy anti-Castro Cuban exile family named Babun operate a shipping firm, Bahamas Lines, based in Miami. Their vessels fly the Panamanian flag on various routes in the Caribbean, including the Miami-Haiti run. A few weeks ago, the Cubans seized the *Lyla Express,* a freighter owned by Bahamas Lines. Twelve days later, on December 15, the Cubans seized another Bahamas Lines freighter, the *Johnny Express,* wounding the captain, José Villa, a Cuban exile and American citizen, and two other crew members. At the time of the seizure the vessel was in either Bahaman or international waters.

The American reaction to the first incident was imperceptible. After the second incident, Ron Ziegler was a model of caution. He pointed out that, since the freighter

IN THIS ISSUE

January 3, 1972

EDITORIALS

2

ARTICLES

5 The Grand Jury Network
Frank J. Donner and Eugene Cerruti

16 Cartoons of 1971

BOOKS & THE ARTS

21 Auchincloss: Edith Wharton
Vivian Mercier

22 Deleyne: L'Economie chinoise
Aaron Segal

23 De Rachewiltz: Discretions
C. David Heymann

23 Detour: North Dakota, Heading East (poem)
Mark Vinz

24 Di Prima: Revolutionary Letters
David Rosenthal

26 Puig: Betrayed by Rita Hayworth
Ronald De Feo

27 Films
Robert Hatch

28 Theatre
Harold Clurman

29 Art
Lawrence Alloway

Publisher
JAMES J. STORROW Jr.

Editor
CAREY McWILLIAMS

Associate Publisher
GIFFORD PHILLIPS

Executive Editor
ROBERT HATCH

Literary Editor
EMILE CAPOUYA

Copy Editor, MARION HESS; Poetry Editor, ALLEN PLANZ; Theatre, HAROLD CLURMAN; Art, LAWRENCE ALLOWAY; Music, DAVID HAMILTON; Science, CARL DREHER; Advertising Manager, MARY SIMON; Circulation Manager, ROSE M. GREEN.

Editorial Associate, ERNEST GRUENING

Washington, ROBERT SHERRILL; London, RAYMOND WILLIAMS; Paris, CLAUDE BOURDET; Bonn, C. AMERY; Canberra, C. P. FITZGERALD; U.N., ANNE TUCKERMAN

The Nation is published weekly (except biweekly in July and August) by the Nation Company and copyright 1972 in the U.S.A. by the Nation Associates, Inc., 333 Sixth Avenue, New York, N. Y. 10014. Tel: CH 2-8400. Second class postage paid at New York, N. Y.

Subscription Price: One year $12.50; two years, $23. Add $1 per year postage for Canada and Mexico; $2 other foreign.

Change of Address: It is essential that subscribers ordering a change of address give five weeks' notice and provide their old as well as their new address. Please give Zip Code numbers for both addresses.

Manuscripts. All work submitted will be read by the editors. The magazine cannot, however, be responsible for the return of unsolicited manuscripts unless they are accompanied by stamped, self-addressed envelopes.

Information to Libraries: The Nation is indexed in Readers' Guide to Periodical Literature, Book Review Digest, Book Review Index and the Public Affairs Information Service.

THE NATION

Volume 214
No. 1

The Shirrod Library
EAST TENNESSEE STATE UNIVERSITY
JOHNSON CITY, TENNESSEE

JAN 3 '72

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

flew the Panamanian flag, "this is, of course, a matter for Panama" to deal with. Ziegler casually deplored the attack as "a violation of international practice and the right of freedom of navigation"—while Radio Havana claimed that the Babuns were front men for the CIA and that the *Johnny Express* had been involved in a raid some months ago on the Cuban seaside town of Boca de Samá, in which Cuban nationals were wounded or killed.

Ziegler's mild reaction was followed by a far angrier response from the President. Mr. Nixon met with Captain Villa's wife and three children at the Florida White House, deplored the Cuban attack as an "unconscionable act," and instructed the Swiss embassy in Havana to demand Villa's "immediate" release. Nixon was photographed with a comforting arm around Mrs. Villa's shoulder. The State Department then warned Cuba that it would take all measures under international law to protect American and other shipping against any new attacks, and this warning was implemented by the Pentagon. The normal sea and air patrol of the waters between Florida, the Bahamas and Cuba has been doubled. Radio Havana has warned that Cuban gunboats would have no compunction about seizing any vessel, under whatever flag, that the government believed had been engaged in "counter-revolutionary activities."

These being the facts that neither side would quarrel with, further evidence must be sought in an effort to explain what is happening. In the *Manchester Guardian* of December 4, before these events occurred, Greg Chamberlain wrote that the United States had ended its eight-year embargo on military aid to the Duvalier dictatorship in Haiti and is once more training and equipping the Haitian armed forces. But not directly. The fresh military aid is being routed to Haiti by a Miami-based firm—Aerotrade—which specializes in such merchandise. It is inconceivable, however, that any American firm would sell so much as an antique musket to the present regime in Haiti without the approval of the Administration. Under existing circumstances and given the present mood of the Senate, the Administration must proceed indirectly; hence Aerotrade. As Chamberlain puts it, "It is Pentagon logic to reassert its commanding influence in Haiti as best it can, in order to secure the basic U.S. defense perimeter in the Caribbean to face the Soviet military position in Cuba."

But might it not also be possible that some of these Haitian arms could be transshipped to dissident elements in Cuba, or used to support a new Bay of Pigs type invasion? In *The Nation* of November 22, we called attention to the counterrevolutionary movement of José de la Torriente, who announced, at a press conference in Washington, that a new, well-financed, carefully planned operation had been set in motion to topple the Castro regime. This movement is not a flash-in-the-pan affair. It has staged at least one raid on Cuban installations, a fact which Radio Havana confirms. Indeed, de la Torriente claimed credit for the attack on Boca de Samá as an initial probe. It would seem incredible that even the present Administration could be capable of getting itself involved in another Cuban intervention of the Bay of Pigs type, but, on the evidence, the possibility cannot be dismissed out of hand.

Good Neighbor Policy

From World War II until 1969, Seattle was regarded as a relatively affluent city. Now it is suffering from acute unemployment—largely because of Boeing's layoffs—and thousands of its people are desperately in need of food and fuel. While Seattle's Henry "Scoop" Jackson, known with mixed feelings today as the Senator from Boeing, is campaigning for the Democratic Presidential nomination, the poor grow poorer and the hungry hungrier.

Mr. Nixon's Administration will not perceive the need for emergency food distribution, but observers far off in Japan detected the suffering. Early in December a group of citizens of Kobe, Seattle's "sister city" in Japan, who had learned that Seattle's public and private agencies were seemingly unable to cope with the distressing situation, collected 1,000 pounds of canned food and $800 and shipped them to Seattle, with a promise of more to come. If any of the impoverished declined to accept the token aid from a one-time enemy country, there has been no mention of it.

By All Means

Rep. John Ashbrook, the ultraconservative Republican from Ohio, "teeters on the brink," we are told, of challenging President Nixon in the New Hampshire Republican primary. We hope he finally decides to teeter in rather than topple out. White House spokesmen would have us believe they are quite unconcerned. As they tell it, Ashbrook's entry would dilute the protest vote which Rep. Paul McCloskey (R., Calif.) will receive; it is currently estimated at about 20 per cent. By this logic, the President should actually encourage Ashbrook to enter the primary, but there is much evidence to the contrary.

F. Clifton White, strategist for the Goldwater campaign in 1964, is now an unpaid consultant to the Committee for the Re-Election of the President, and his chief assignment seems to be to keep the right-wing conservatives in line. Should Ashbrook enter the primary, the beneficiary would be McCloskey. Ashbrook would debate the issues; the President will not. Without Ashbrook, McCloskey would be campaigning against an opponent who most likely will be jetting here and there and issuing communiqués from various summits. A clash between Ashbrook and McCloskey would generate excitement and air the issues. Every vote for Ashbrook would be deducted from the total that Nixon might otherwise receive; it would not diminish the support which will flow to McCloskey.

By all means, therefore, Mr. Ashbrook should be urged to enter the primary. The right-wing conservatives have a just cause of grievance: they have been betrayed by Nixon. If they do not challenge his leadership now, their bargaining power—read nuisance value—will decline. A three-cornered debate among Ashbrook, McCloskey and Nixon (or his spokesmen) would offer New Hampshire Republicans some real options. It would also give William Loeb, publisher of the Manchester *Union Leader*, a GOP candidate whom he could support with the same enthusiasm that he will support Sam Yorty in the Democratic primary.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE GRAND JURY NETWORK

How the Nixon Administration Has Secretly Perverted A Traditional Safeguard of Individual Rights

FRANK J. DONNER and EUGENE CERRUTI
Mr. Donner is director of the American Civil Liberties Union research project on political surveillance at the Yale Law School of which this study forms a part. Mr. Cerruti is a member of the New York Bar.

During the past year some thirteen federal grand juries have been investigating three politically active groups—young New Left radicals, anti-war intellectuals (the Pentagon Papers) and the Catholic Left—and have enmeshed a very large number of individuals. As a result, a grand jury subpoena is today becoming associated with radical activity much as were the anti-subversive committee subpoenas of the fifties. It symbolizes the shift of initiative in this area—as in so many others—from Congress to the Executive.

The nationwide grand jury network is emerging as a "chosen instrument" of an Administration strategy to curb dissent and to intimidate and demoralize radicals. What makes this strategy so effective is that federal prosecuting officials—who themselves have no power of subpoena—are using the coercive powers of the grand jury for police and intelligence purposes.

The Internal Security Division (ISD) of the Department of Justice is directing and coordinating this new grand jury operation. Launched in 1954 by Attorney General Brownell, this unit languished with the fading of the McCarthy era. In recent years its primary justification for existence has been to review thousands of FBI reports about radical activities—ostensibly to determine violations of statutes, most of which have been held unconstitutional. In Attorney General Mitchell's master plan for radical containment the reinvigoration of the ISD, along with the equally dormant Subversive Activities Control Board, commands the highest priority.

In December 1970 the ISD's complement was enlarged and placed under the command of Robert Mardian, a conservative Californian, former general counsel of HEW and a key member of the hard-line White House junta on civil rights. A close friend of Department of Justice policy maker Richard Kleindienst, Mardian was assigned responsibility for the investigation and prosecution of all anti-radical cases. And as field marshal in this enterprise, Mardian selected Guy Goodwin, a Kansas lawyer, who heads the elite Special Litigation Section.

To strengthen Mardian's hand, the department's intelligence network, the Interdivisional Intelligence Unit (IDIU) was placed under his direct control. Most important, it was converted first from ghetto surveillance to a general observation of potentially violent demonstrations and now to a wide-ranging intelligence system with responsibility for a broad spectrum of radical and anti-war activities. Virtually all of the information it reviews comes from the FBI, with which the ISD has the strongest ties of any unit in the Justice Department.

These changes seek to resolve a deepening crisis in the Administration's response to politically motivated crimes and to noncriminal activism, especially opposition to the war in Vietnam. The conspiracy charge, that hardy vehicle of political prosecutions, had been backfiring, first in Boston and Chicago, then in Oakland and Los Angeles, and later in New Haven, New York and New Orleans. The FBI's informer program for penetrating the New Left was an even greater failure than were parallel local police efforts at infiltration. The FBI's "ten most wanted" list climbed to sixteen, more than half of whom were radicals—and some of whom defiantly issued communiqués and tapes and thumbed their noses at the FBI. Periodic waves of bombings—of banks, ROTC buildings and other structures—joined earlier explosions on the list of unsolved crimes. Something had to be done. The answer of the Nixon team is the grand jury.

Reversal of a Shield

The choice of the grand jury seems almost inevitable. Although it served in the not too distant past as a curb on unjustified prosecutions, a "people's panel,"* it has been transformed into an oppressive tool. And the process has been accelerated during this period of political stress, whereas during similar periods in the past its protective aspects were intensified. Most people know very little about the grand jury because it is enshrouded in secrecy. This secrecy was based originally on the need to protect the independence of the grand jury by insulating it from the pressures of the Crown. Although this reason for secrecy no longer obtains, the government today insists on preserving the grand jury's secrecy—in part, certainly, because it effectively cloaks abuses by prosecutors. The secrecy surrounding grand juries has thus become an instrument of the very evil it was intended to prevent.

Secrecy invites overreaching. To begin with, there are no limits on the number of witnesses that the prosecutor—in the present context Guy Goodwin or one of his stand-ins—may choose to call. For example, the Los Angeles grand jury investigating the West Coast anti-draft, anti-war movement subpoenaed more than 100 witnesses, ranging from doctors, lawyers and draft counselors to the parents of draftees. A desperate or irresponsible prosecutor can wildly spray members of an entire group with

* Less than a decade ago the Supreme Court said of the grand jury: "Historically, this body has been regarded as a primary security to the innocent against hasty, malicious and oppressive persecution; it serves the invaluable function in our society of standing between the accuser and the accused, whether the latter be an individual, minority group, or other, to determine whether a charge is founded upon reason or was dictated by an intimidating power or by malice and personal ill will." *Wood* v. *Georgia*, 370 U.S. 375,390 (1962).

This characterization has become wholly anachronistic. Today it has been widely noted that grand juries, though theoretically adjuncts of the court, have become "rubber stamps," all but automatically following the direction of the prosecuting attorney.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

subpoenas, many of whom may be wholly removed from the panel's basic concerns. He may do so out of pique, to show his power, to harass the witness, and in the knowledge that it will serve no legitimate purpose.

The broad scope of the prosecutor's power contrasts with the limited character of the witnesses' protections. The subpoenaed witness cannot even bring his counsel into the grand jury room, although he is subject to unrestrained cross-examination. He has no right to learn the subject of the investigation, or indeed whether he himself is a target of the inquiry.

The secrecy of the proceedings and the possibility of a jail sentence for contempt so intimidate the witness that he may be led into answering questions which pry into his personal life and associations and which, in the bargain, are frequently immaterial and vague. Alone and faced by either hostile or apathetic grand juries, the witness is frequently undone by his experience. Life in a relatively open society makes him especially vulnerable to a secret appearance before a body that is considering criminal charges. And the very body toward which he could once look for protection has become a weapon of the prosecution.* When he seeks protective guidance from his lawyer he learns that the judicial broadening of due process which has occurred in the past two decades has largely ignored grand jury matters, precisely because it was assumed that the grand jury still functioned as a guardian of the rights of potential defendants.

The witness' traditional shield is the Fifth Amendment privilege against self-incrimination, but this too is no longer secure. A witness may answer some questions, either because on the surface they appear innocuous, or because he feels he has nothing to hide. He then discovers that such cooperation has been his undoing: because he answered at the beginning, his self-incrimination privilege is considered waived with respect to later questions, which may well require him to name or implicate others. More important, the very ground on which the witness stands, the privilege itself, has become unsafe. The immunity provisions of the 1970 Organized Crime Control Act, now awaiting Supreme Court review, permit the government to offer the witness limited "use" immunity. Thus the witness is sometimes faced with the Hobson's choice of a contempt sanction or an offer of "immunity" that denies him the full benefits of the Fifth Amendment privilege against self-incrimination.

Dynamite in Tucson

Although the nine New Left ("Movement") grand juries are temporarily the least active, primarily because of a series of legal challenges that await Supreme Court resolution, they still provide the clearest overall picture of the government's grand jury strategy.

A grand jury sitting in Tucson last fall was the real point of departure for the new government offensive against the radicals. After several preliminary grand jury sessions had been held in Vermont and Detroit to inquire into the West 11th Street town-house explosion in New York City, Guy Goodwin commenced an investigation in Tucson which disrupted the entire Southern California radical community, but received almost no national attention.

The ostensible subject of this investigation was the alleged purchase in Tucson of dynamite by a young man who drove a car registered to a woman in Los Angeles. The salesman at the dynamite plant was made suspicious by the long hair and horn-rimmed glasses of the purchaser, so he took down the plate number and notified the FBI. The woman's home in Los Angeles was immediately placed under heavy and obvious surveillance. Shortly thereafter, the FBI apparently got the dynamite clerk to identify the purchaser from a photograph in their Weatherman file. Several months of surveillance in Los Angeles revealed little more than that a mixed group of five young people were living communally and engaging in various open community activities. But the government had already learned to expect such frustrations when dealing with young radicals, and moved the investigation upstairs to the Internal Security Division.

At this point, Goodwin flew to Tucson to assume command of the grand jury investigation, a procedure that has openly annoyed local federal attorneys in several major cities. It is important to note about this grand jury that what eventually transpired under Goodwin's direction took place for the most part *after* the grand jury had regularly issued an indictment against the dynamite buyer. This shows unmistakably that the grand jury was not being limited to its role as an adjunct to the judicial process but rather was being employed primarily as an arm of a political intelligence system.

In October and November 1970, Goodwin subpoenaed the owner of the car and the four people who lived with her. Since potential defendants are rarely called as witnesses before a grand jury, it was not likely that Goodwin was much concerned about the role of these five in the dynamite purchase. The questions he asked confirmed this supposition. While several of his questions dealt with the use of the car, etc., most of them followed a pattern that he had established earlier in Vermont and Detroit, and that has now become a regular feature of the Goodwin grand jury. Typical of this line of questioning are the following:

> Tell the grand jury, please, where you were employed during the year 1970, by whom you are employed during the year 1970, how long you have been so employed and what the amount of remuneration for your employment has been during the year 1970.
>
> Tell the grand jury every place you went after you returned to your apartment from Cuba, every city you visited, with whom and by what means of transportation you traveled and who you visited at all of the places you went during the times of your travels after you left your apartment in Ann Arbor, Michigan, in May of 1970.
>
> I want you to describe for the grand jury every occasion during the year 1970, when you have been in contact with, attended meetings which were conducted by, or attended by, or been any place when any individual spoke whom you knew to be associated with or affiliated with Students for a Democratic Society, the Weatherman, the Communist Party or any other organization advo-

* Consequently, the formal usage "grand jury subpoena" should not mislead the reader to believe that in fact the grand jury has, independently of the prosecutor, used its process (really the process of the court of which it is an appendage) to compel the appearance of a witness.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cating revolutionary overthrow of the United States, describing for the grand jury when these incidents occurred, where they occurred, who was present and what was said by all persons there and what you did at the time that you were in these meetings, groups, associations or conversations.

These questions, note, are asked of mere witnesses, people supposedly not themselves under investigation. The fact that Goodwin can ask, and demand answers to, such extraordinary questions points directly to one frequently overlooked aspect of the grand jury: there are virtually no rules of evidence to control the scope of the prosecutor's power of coerced inquiry (and, as noted above, no defense counsel is present to raise and argue any objections). More than that, the grand jury process has become an investigative lever of the FBI itself, despite the fact that Congress has consistently snubbed J. Edgar Hoover's pleas that the FBI be granted the power of subpoena. Today an ISD prosecutor will openly consult with FBI agents, who feed him questions and, in all but name, direct the investigation. In many instances, individuals who refuse to answer voluntarily the questions of FBI agents are told that they will be subpoenaed; they are, and are then subjected to the same questioning.

The Way with Witnesses

All five Tucson subpoenees made an initial decision not to cooperate with the grand jury and refused to answer all questions put to them. They were then given full (transactional) immunity by the District Court, again refused to testify and, beginning in early November, went to jail as each was cited for contempt. They received the conventional civil contempt sentence: until they agreed to testify or until the life of the grand jury (up to eighteen months) expired, which in this case was the following March. Each of the witnesses decided to pay the price of his or her disobedience and remained in jail for the entire period.

The grand jury expired on March 23, 1971, but no one informed the jailed witnesses or their lawyers. On March 25, when the witnesses were finally released from jail, each was greeted at the cell door with another subpoena to appear before a new grand jury on April 7. Karen Duncan, one of the five witnesses, later described the impact of Goodwin's tactic:

> It then appeared that there were no legal restrictions to the kinds of questions a grand jury could ask, or the number of grand juries one could be called before and thus the time one could be jailed for contempt. It looked like we could be continually jailed on repeated 18 months sentences forever. It looked as though the only way we could ever get out of jail was by testifying.

And so after seven months of moving from their home under heavy, overt surveillance, to a grand jury in another state, and then to jail, the witnesses—whose refusal had all along been more an act of political opposition than one of personal defense—agreed that they would begin to testify. Two of the witnesses testified under immunity that they had been involved for several weeks with the dynamite buyer, but had severed that relationship within a matter of hours after the purchase. In view of the fact that these two testified so completely about their role in the dynamite purchase, answering all of Goodwin's questions, it becomes even more striking that Goodwin persisted in each case with the "fishing" style of inquiry cited earlier. He managed to ask about so many individuals and activities of the Left, raising fears of wide-scale subpoenas, that the Tucson affair quickly became a rallying point for the entire Los Angeles radical community.

Although in the end Goodwin did not further expand the latitude of his questioning in Tucson, his operations there suggest techniques which were refined in his later grand jury probes. That no one of his grand juries is an isolated event is shown by the literal repetition of questions before different grand juries and by inquiries in one grand jury about persons who appear as witnesses in a later grand jury. This novel use of the grand jury, like all other aspects of the political intelligence process, has been strongly influenced by the filing and cross-indexing possibilities of computer technology.

The information called for by Goodwin's questions covers a startling variety of biographical detail about the witness. It is all a matter of friendships, affiliations, communications, meetings, travels, finances, beliefs, habits, etc. This personal and seemingly innocuous data is then fed into the IDIU data bank, which uses a separate file for each name and event mentioned. Grand jury testimony is thereby integrated with intelligence gathered from all other sources, including illegal electronic surveillance conducted by state as well as federal authorities. The end product of all this programming is something which intelligence experts call a "sociogram." It is a construction designed to reproduce graphically the Left's patterns of living; a framework of facts and assumptions, not only on a political level but on a personal and private level, to facilitate the pursuit of the new radical quarry.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A Modern Inquisition

This obsession with social and biographical details helps also to explain the selection of Goodwin as head of the Special Litigation Section. Most of the attorneys who have represented grand jury witnesses have been unimpressed by Goodwin's professional skills as an examiner and legal tactician. And several witnesses have mentioned their feeling that his stylish appearance and stagy manners have not endeared him to a number of grand jurors and local federal attorneys. But Goodwin does have a reputation around Justice for his "computer mind." And a number of defense attorneys have been struck by his fingertip knowledge of the Left scene, which he parades in the grand jury room in almost gossipy display.

(Goodwin preens himself on his knowledge of the intimate background of his subjects. When a group of anti-war activists invaded the Selective Service offices in Camden one night last August, they were startled by Goodwin himself who flicked on the lights. He then strutted before them, greeting each by his most common nickname and handing him a copy of "your indictment.")

Goodwin's techniques have become familiar in the course of his grand jury appearances. After Tucson, his next major attempt to fit together pieces of the radical puzzle occurred in Seattle. This occasion attracted more public attention than had any previous grand jury. On March 1 the Capitol in Washington had been bombed, and on May 1 a series of militant and highly publicized anti-war demonstrations was to begin there. The pressure on the government to gain some ground on the radicals was considerable.

On the evening of April 27, four carloads of FBI men worked their way through two of the houses in northwest Washington where demonstration organizers were staying and arrested 19-year-old Leslie Bacon. Although she was wanted only as a material witness, she was held on $100,000 bail on the government's allegation that she was likely to flee if released. (On September 28, the Court of Appeals for the Ninth Circuit reversed this arrest, on the ground that the mere allegation was insufficient to support the initial warrant.) On April 29, Bacon was flown to Seattle, amid proliferating reports leaked to the press that she was a suspected "courier" between radical groups that had been involved in the Capitol bombing. She was presented to the public as a link between the bombers and the organizers of the upcoming demonstrations. Press reports broadly hinted that the government was about to crack the Capitol bombing case.

Leslie Bacon testified for three days, beginning April 30, with no grant of immunity. As she answered and reanswered personal questions that almost parodied the Goodwin style, it became clear to her lawyers that she had initially been mistakenly advised by an inexperienced lawyer to testify freely when she first took the stand. Since Goodwin had by then touched on nearly every facet of her life for the previous six months, it was more than likely that Bacon had already waived whatever rights to remain silent she might have had. This in fact turned out to be the case. On May 1, after answering more than 250 questions, Bacon began taking the Fifth. The District Court noted her waiver and denied her right to remain silent. On May 12, she nevertheless continued to remain silent.

Goodwin, who had been visibly encouraged by his progress, was now outraged that Bacon's new lawyers had counseled her to hold her tongue, despite her waiver. He quickly struck back. It was no secret that Bacon had been temporarily involved in a bank-bombing plot in New York City, but had pulled out so quickly that a New York State grand jury had refused to indict her. Goodwin now made overtures to the Manhattan District Attorney's office to reopen the case against her. When he was rebuffed (Goodwin has very poor relations with New York state and federal law-enforcement officials), the FBI itself issued a warrant for her arrest on the claim of an interstate conspiracy involving the bank plot. Finally, on March 18, Goodwin had the Seattle court extend a grant of limited, or "use," immunity to Bacon. The next day she continued to refuse to answer, was immediately cited for contempt and jailed.

The intensity with which the government pressed the Bacon case is explained by the "sociogram" strategy. Leslie Bacon is a young radical who had traveled extensively and participated in a number of the radical conferences that had been held around the country within the previous year. She was then working on the Mayday protests and had developed ties with the inner circles of the Mayday organization. She is a very social radical and Goodwin saw her as an encyclopedia of useful information. In sociogram terminology, Leslie Bacon was a "point of intersection." Moreover, she was a likely prospect for Goodwin's grilling because he had the bank plot to hold over her head.

Perils of Friendship

Leslie Bacon's experience shows the extent to which the new grand juries are merely "fishing expeditions." The more a witness travels, the more political activity he participates in, and the more friends he makes along the way, the more likely it is that the government will go out of its way to force open the details of his private life—and jail him if he objects.

Just how extensive this private inquisition can be is revealed by the questions Goodwin asked, and got answers to, in Seattle. One of his early questions was: "Where were you in September through January, 1970-71, and who were you living with?" Bacon responded with references to Greenwich Village, the East Village, Boston, Buffalo, Washington, D.C., and California. Goodwin then plucked out the precise details that interested him. About California, a purely social visit, he asked in part:

> What did you do or where did you go in Santa Barbara?
>
> Who were the people you saw, visited with, or stayed with in Santa Barbara?
>
> Do you remember the names of the people you traveled to Santa Barbara with?
>
> What were the conversations in the car during the 56-hour drive?

But these questions are mild, compared with what Goodwin asked Bacon about her movements in and around the Mayday organization. He would trace every

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

step of every day, wanting to know how she traveled from one place to the next, who was present at all times, what was said by each person, right down to questions about who slept with whom in what specific rooms.

Goodwin expanded his investigative files with what he managed to get from Leslie Bacon; but he also accomplished two other results of equal importance. First, a number of questions were so framed as to suggest rather strongly that the government had obtained certain information through unauthorized wire tapping. This information could not of course be used in court, but by getting Bacon to state what Goodwin already knew, illegal evidence was transformed into evidence legally obtained through grand jury testimony. This practice has become common, according to lawyers riding the grand jury circuit.

Second, Goodwin gained from Bacon what he had failed to get in Tucson—a basis for serving further subpoenas, for appearance before grand juries in other cities, on the many people she mentioned. The subsequent grand jury investigation in New York City, for example, could not have been launched without the Seattle testimony.

The Bacon case has generated a confrontation with the grand jury issue across the country. What had begun in Tucson with an isolated defense committee was now becoming a national radical campaign against the grand jury. The underground press published a series or reports and analyses of the government's new strategy. Grand juries in Madison, Cleveland, Los Angeles, Vermont, Detroit, Kansas City and elsewhere that had gone their way relatively unnoticed were now seen with a keener retrospective eye. Local defense committees sprang up in at least twelve cities where federal grand juries were in session. Demonstrations were planned in Washington and San Francisco to greet any renewed grand jury activity. Lawyers as well, driven by the summary nature and pace of grand jury proceedings to borrow extensively from one another, soon began to develop a shared body of legal expertise.

Representatives from many of these groups held a first meeting during the crisis period of the Bacon case. Thereafter, they met several times during the spring, and by late May a loose umbrella organization, Non-Collaboration, had been formed. It had a double aim: on the one hand to press a wide series of legal challenges, and on the other to extend the concept of resistance to the grand jury by raising refusal to testify to the level of principle.

In short, the government appears to have fostered a new unity of the radical Left. It arose in part from the fear that the grand juries were being groomed to replace the moribund and powerless Congressional anti-subversive committees as instruments of harassment and of domestic political intelligence. Another stimulus was the government's intrusion into an area of great sensitivity to many sections of the youth community: the freedom to follow a new and open life style. The government created among youth the fear that the practices of living communally, following the *ad hoc* meeting circuit, producing "how-to" propaganda, sharing revolutionary fantasies through private letter or conversation, commuting between urban and rural areas and the like had become the targets of suspicion and snooping behind the closed door of the grand jury room. As a result, even people who had little or no connection with radical politics were willing to endure jail on the principle of resisting the grand jury.

Goodwin Meets the Resistance

The anti-grand jury mobilization reached its peak in mid-May as the energies that poured into the Mayday demonstrations spilled over into grand jury opposition. The government responded by sending Leslie Bacon to jail for contempt and convening grand juries in Washington, New York and Detroit.

Goodwin first issued subpoenas to three Mayday organizers to appear before a Washington grand jury on June 8. All three refused to testify. Two of them, both women, were granted transactional immunity (that is, limited only to the specific transaction involved), refused again, and were jailed. The third, one of the authors of the tactical field manual for Mayday, was not given immunity and dismissed. But the two women successfully appealed their contempt sentence on the ground that the government had to disclose any illegal interceptions of their conversations. This decision by the Court of Appeals, in the wake of a similar ruling involving Harrisburg, was a serious blow, since it would force the government to reveal the extent of its wire tapping of members of the Mayday organization.

Goodwin next moved to New York where he subpoenaed twelve people, allegedly to reconsider Leslie Bacon's role in the New York bank plot. The questions asked, however, went far beyond the matter of Leslie Bacon. None of the twelve testified, but they all joined in an affirmative legal attack on the grand jury. The federal grand jury nevertheless resurrected the charge dropped by the state grand jury and on June 23 indicted Bacon for conspiracy. On June 30 the twelve subpoenas were withdrawn, and appear to have been dropped permanently.

In late June, Goodwin subpoenaed seven people Bacon had connected with Mayday activities to appear before a grand jury in Detroit. After one person testified, the remaining six refused, raising the wire-tap issue. Goodwin again balked at the wire-tap challenge and excused each of the witnesses. In August, Goodwin came back to these six with new appearance dates set for the fall. When the first of them appeared in mid-September and again routinely refused to testify, the government moved for a court order compelling him to answer certain questions. The government also requested the court to hold *in camera* sessions in order to avoid public disclosure of the specific questions it proposed to ask. An appeal by the government from the court's rejection of this unusual demand for secret sessions to adjudicate the necessity for answering a question has for the time being tied up that grand jury.

Goodwin's post-Seattle thrust in Washington, New York and Detroit was stymied, certainly in part by aggressive legal opposition. But these grand juries did proceed far enough to reveal something of the direction in which the government would like to go. One grand jury, indeed one witness, had proliferated into three grand juries and twenty-two witnesses. Also a number of those twenty-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

two were in the category of potential defendants, and that is an abuse of the grand jury's function rarely encountered since the 1950s.

The questions put to witnesses were also revealing. Some confirmed the view that the government uses the grand jury as a "discovery" device; that is, as an instrument for learning what the defense strategy will be in a subsequent trial. This could easily be said of the attempt to extract testimony in New York from the five people who had already confessed to the bank plot for which Leslie Bacon alone was indicted by the federal grand jury. Most important, the questioning showed the government's desperate effort to forge a link between open political activity such as the Mayday demonstrations and underground actions like the Capitol bombing.

Hoover's Bombshell

The law-enforcement aspects of the "Movement" grand juries have been distorted by the Internal Security Division for intelligence, propaganda and other dubious purposes. But in the case of the federal grand jury sitting in Harrisburg and inquiring into the activities of the Catholic Left the process was reversed. Public charges by J. Edgar Hoover of a kidnap-bomb plot, based on the reports of a prison informer, forced the Department of Justice to seek an indictment. It is hard to say which is more disturbing: Hoover's loose charges or the department's readiness to abuse its law-enforcement powers to protect him from the consequences of serious misconduct.

On November 27, 1970, Hoover appeared before a subcommittee of the Senate Appropriations Committee in support of a supplemental appropriation for the FBI. The very fact of his appearance was curious. Hoover had for a long time limited his Congressional committee appearances to the House Appropriations Committee, which invariably granted his budget requests; he had consistently rebuffed all attempts to lure him to the Senate side. He had already made his pitch before the House committee on November 19 and, as usual, it was sympathetically received. Why not? Hoover had merely asked for a routine supplementary appropriation of $14,150,000 to pay for 1,000 additional agents and supporting personnel and equipment for the remainder of the fiscal year—all of which had been already mandated by statute and approved by the budget bureau. Hoover had no budgetary problems to bring before the Senate committee.

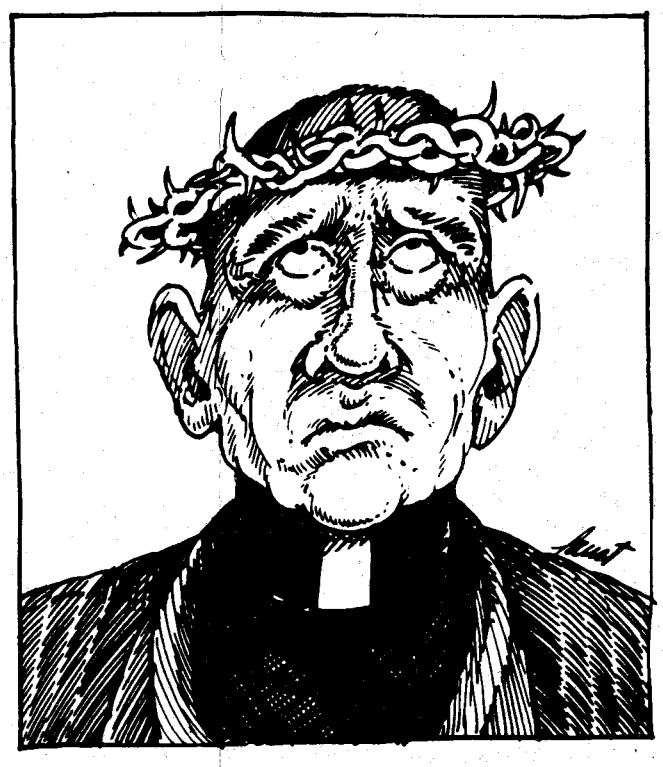
His unprecedented and gratuitous appearance—all the more notable because it was before a subcommittee of two Senators—was staged to exploit a sensational charge. What follows here is based on off-the-record interviews, confidential memoranda and information gleaned from Congressional personnel.

In the latter part of August 1970, the FBI acquired—from reports by an informer, Boyd F. Douglas, Jr., as well as from correspondence, mainly between Philip Berrigan (then in jail in Lewisburg, Pa.) and Sister Elizabeth McAlister and from wire taps—information about an alleged plot by a group of anti-war Catholic activists to kidnap Henry Kissinger and to blow up underground electrical conduits and steam pipes in the Capitol area.

No one who has investigated the matter seriously believed, then or now, that the "plot" was more than rhetoric. The government itself—reliable evidence shows—thought little of it. In September, when Hoover briefed both the Attorney General and President Nixon about the details of the "plot," it was already manifest that it was a fantasy never intended to be acted on: it had been abandoned, despite the efforts of Douglas, the FBI prison informer, to breathe life into it. In the following weeks, lawyers in the department's Internal Security Division discussed the possibility of prosecution, but made no move to present evidence or even to convene a grand jury. Instead they told Hoover that the case was insufficient to warrant presentation to a grand jury and that he should continue surveillance to get more evidence.

Hoover persisted in the view that he had a "perfect case." His November 19th House testimony which was given in executive session (and later made public by vote of the Appropriations Committee) included the following:

> Willingness to employ any type of terrorist tactics is becoming increasingly apparent among extremist elements. One example has recently come to light involving an incipient plot on the part of an anarchist group on the east coast, the so-called East Coast Conspiracy to Save Lives.
>
> This is a militant group self-described as being composed of Catholic priests and nuns, teachers, students, and former students who have manifested opposition to the war in Vietnam by acts of violence against Government agencies and private corporations engaged in work relating to U.S. participation in the Vietnam conflict.
>
> The principal leaders of this group are Philip and Daniel Berrigan, Catholic priests who are currently incarcerated in the Federal Correctional Institution at Danbury, Conn., for their participation in the destruction of Selective Service records in Baltimore, Md., in 1968.
>
> This group plans to blow up underground electrical conduits and steam pipes serving the Washington, D.C., area in order to disrupt Federal Government operations.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

> The plotters are also concocting a scheme to kidnap a highly placed Government official. The name of a White House staff member has been mentioned as a possible victim. If successful, the plotters would demand an end to U.S. bombing operations in Southeast Asia and the release of all political prisoners as ransom. Intensive investigation is being conducted concerning this matter.

Hoover thereafter arranged for an appearance before the Senate subcommittee. But this time he informed a subcommittee aide that he wanted his testimony made public, despite the fact that it was to be presented in executive session, for release only at the discretion of the committee. When he appeared, Hoover brought with him forty-five copies of a prepared statement which consisted of a "scrubbed" version (off-the-record comments deleted) of his earlier House testimony and which was made available to the press as soon as he began to testify. The testimony was heard by the subcommittee and immediately officially released—a meaningless gesture since Hoover had already taken matters into his own hands. The Senators asked no questions. It is strange that neither Senator Byrd, who presided over the subcommittee, nor Senator Hruska, the other member, thought it necessary to ask the name of the victim—unless they already knew.

The testimony—in no way relevant to Hoover's appropriation request—created a storm all over the country. The Berrigans, Daniel in Danbury and Philip in Lewisburg, strongly denied complicity in the charged plot. Priests who admitted membership in the "East Coast conspiracy" insisted that it had been long since disbanded and that in any event it had no connection with the Berrigans.

Department of Justice officials who had approved the decision to hold off on prosecution of the plotters demanded that Hoover be retired, but this was vetoed by President Nixon. Attorney General Mitchell, talking off the record to reporters, did not wholly conceal his dismay. He admitted to one reporter that he had been unaware that Hoover intended to make public charges and that he was "surprised" to hear them. In a press conference on December 18, Mitchell stated that he was not required "to approve or disapprove" Hoover's testimony and that his charges were not the sort of matter for which the Director had to account to the Attorney General.

Rep. William Anderson of Tennessee promptly criticized Hoover, asserted his belief in the two priests' innocence, and in a letter to the Director, stated that due process had been gravely violated by Hoover's public accusations before any formal charges had been made. Anderson subsequently wrote to a constituent:

> It has been a long-cherished policy of the FBI that this government agency "only collects facts—never judges them." The mimeographed testimony of Mr. Hoover suggested the statement was not an inadvertent off-the-cuff opinion of the Director, but a carefully considered opinion which must have been internally reviewed by FBI administrative staff which the FBI Director has available to prepare reports to the Senate Appropriations Committee. Therefore, it portends a serious shift in FBI policy which could have grave overtones to a nation that has always rejected the concept of a national police force.
>
> Mr. Hoover's statement was a declarative statement that prejudged guilt. It did not presume innocence until guilt was proven in a court of law in due process.

On December 9, Anderson's charges were read in the House where the Director was subjected to the most vigorous Congressional criticism in thirty years. The next day, when asked in a nationally televised news conference whether he thought it proper for the nation's police chief to play the role of accuser and judge, Mr. Nixon replied, "I generally approve of the actions that he has taken. . . ."

Hoover himself gave no explanation for his usurpation of the grand jury's combined function as accuser and shield against unfounded or malicious prosecution. His action in exposing a "plot" and identifying its leaders prior to the convening of a grand jury also flagrantly disregarded a well-established restraint imposed on the release of prejudicial information in the interest of a fair trial. As phrased in the 1968 American Bar Association report, *Standards Relating to Fair Trial and Free Press*, "the identity of a suspect prior to arrest and the results of investigative procedures shall not be disclosed except to the extent necessary to aid in the investigation, to assist in the apprehension of the suspect, or to warn the public of any dangers." Department of Justice regulations provide for a similar restraint on pretrial publicity. Attorney General Mitchell has publicly stated that this ban is rigidly observed.

Hoover, however, went on to compound his impropriety. Later, on the day of his testimony, November 28, he expanded the scope of the alleged conspiracy in an interview with a UPI reporter. Hoover insisted that the "incipient plot" was still operative, despite "intensive investigation," and that it had not been abandoned even though its alleged leaders were in jail. He added, on another not wholly unrelated theme, that he had no intention of retirement "as long as my health remains excellent," and that he had recently passed a physical examination "with flying colors."

In early December, he told a *Time* reporter that he was "absolutely convinced" that he had "a substantial case." On December 2, in response to Congressman Anderson's critical letter, he stated: "You may be assured my testimony was predicated on the results of careful investigation." And in an exclusive interview given to John Chamberlain, the conservative columnist (published December 16), he insisted that he would not have mentioned the plot "if he did not have substantial evidence to back it up, evidence which he is prepared to put before a grand jury if the Department of Justice calls for legal action."

Whatever Hoover may have said after the fact, it is clear that at the time he gave his Senate testimony no responsible opinion in the department supported his view that the Berrigans or the defunct East Coast conspiracy had committed an indictable offense which could be established in court by reliable proof. His own oral testimony and prepared statement refer only to an "incipient plot" to bomb and kidnap. Also revealing is Hoover's designation of this as yet unhatched plot as one concerning which "intensive investigation is being conducted. . . ."

Hoover may have hoped to force a reluctant department

ETSU LIBRARY
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to seek an indictment. If so, he succeeded. What is brilliantly clear is that the 76-year-old Hoover was motivated primarily by a need to re-establish his authority and prestige, now, at the end of his long career, seriously threatened by his failures in the fields of both political intelligence and law enforcement, and, less tangibly, by a growing public intuition that his theories and methods were archaic and inflexible. His melodramatic charges, in short, were a bid for retention of power by a superannuated bureaucrat.

Hoover the Savior

Fear has always been a sure-fire success formula in American public life, and Hoover, particularly, has for more than a generation developed tremendous personal power by his manipulation of mass fears of internal political subversion. Although this technique was originally used to expand the FBI's intelligence functions and appropriations, it evolved into an instrumentality for developing Hoover's personal authority. Over the years, Hoover carefully cultivated his image as the vigilant protector of an ever threatened nation and his efforts were fantastically successful. He bathed in the awe and dependence which one associates with the magic healers of primitive societies. The Director's reckless passion for the redeemer's role found its most revealing expression in his release on December 11, under FBI sponsorship, of his House committee testimony containing the plot charges, for national distribution in a blown-up, easy-to-read format. This was a defiant act of self-gratification, especially shocking because it was timed a scant week before the convening of the Harrisburg grand jury to hear evidence as to whether a crime had been committed at all.

The history of 19th-century autocracies teaches that every spy-master seeks to restore the faltering grip of his power by inventing or exaggerating subversive plots—and even by using provocateurs to help them along.* P. F. Réal, Fouché's right-hand man, writes of an ambitious prefect seeking to supplant him, that he "never went to bed without praying for a small conspiracy on which to demonstrate his rare ability." (*Anecdotes de l'Empire et de la Restauration*; Brussels, 1839.) But few have recognized in Hoover's latest exposé a latter-day example of this practice—in itself a tribute to his extraordinary grip on the American imagination.

To Hoover, the "plot" with its Capitol provenance, underground tunnels, high government officials, priests and nuns must have presented itself as a heaven-sent opportunity—here was a real threat to the "national security," and right in the government's front yard. Once again he could claim the gratitude of a rescued nation and confound his critics. We think that Hoover was motivated in part by an eagerness to discredit the Catholic Left. About half the 8,000 FBI agents are Catholic. Hoover, although not himself a Catholic, strongly identifies with the hierarchical and authoritarian style and the strenuous anti-communism of traditional Catholicism.

*"By alarming the public with false tales of 'Red plots,' by exaggerating the size of the radical movement and by themselves committing actual crimes of violence attributed to radicals (a charge to be inferred but not proved in any specific case), agents of the [FBI] kept the country conscious of their services." *Encyclopedia of the Social Sciences, Political Police*, p. 206.

Of course Hoover depended on widespread publication of his disclosures to achieve his objective, but intelligence authorities must frequently elect between silence and continuing surveillance on the one hand and publication of facts on the other. Where important interests are potentially involved, the choice necessarily falls on the side of maintaining continuing information inputs so that the full scope of the danger and the identity of all the principals can be established. One hardly needs to be an intelligence expert to recognize that a press release is a foolish, counterproductive response to a half-baked plot. Here, even legal prosecution, with its inevitable public disclosures, is considered a last resort—either to forestall imminent criminal acts or to block the flight of an important conspirator.

But, as we have seen, there was no legitimate law-enforcement reason for the disclosures. Hoover's "incipient plot" was a classic case for keeping mum, lying low, and watching closely. But such a course ignored the Director's nation-saving needs. What if this sinister-sounding plot turned out to be yet another fantasy, a purely verbal resolution of the tormenting conflict between the hunger for action and the deeply held commitment to nonviolence? The likelihood that the "plot" would evaporate forced Hoover's hand—it was now or never. He thus exposed his informer, violated elementary intelligence principles, usurped the department's law-enforcement responsibilities, and compromised the right to a fair trial.

On to Harrisburg

On January 12, 1971, the Harrisburg grand jury revived the already rejected charges and indicted six individuals as conspirators in Hoover's bombing and kidnapping plot. Those named were Eqbal Ahmad, Philip Berrigan, Elizabeth McAlister, Neil McLaughlin, Anthony Scoblick and Joseph Wenderoth. Six additional counts in the indictment charged Philip Berrigan and Elizabeth McAlister with covert attempts to exchange written communications at different times. Not only did the informer, Douglas, serve as a courier for the exchange of these communications but it was he who enclosed in the last of them, in August 1970, a letter to Sister Elizabeth expressing his delight over being at last part of an "action." He explained that he was to be paroled shortly and would be able, through connections in Washington, to obtain a gun, either a fake or, as he preferred, a real one. He pressed Sister Elizabeth to have Eqbal Ahmad come to Lewisburg to work out the practical details of the "plan."

When Sister Elizabeth saw the letter, she was shamed and shocked that Douglas, whom she hardly knew, had become privy to letters which she had sent to comfort a depressed and demoralized Philip Berrigan. Of Douglas' letter she said (to Lee Lockwood of *Life*), "It was like holding something hot and horrible. I could hardly even bear to look at it . . . it made it all seem suddenly real and pragmatic. He brought it down to the tactical necessities that I wasn't dealing with at all. It was a closed book as soon as I read it." Her revulsion deepened when she was visited by two indicted Baltimore priests, Fathers Neil McLaughlin and Joseph Wenderoth, who protested to her Douglas' effort to involve them in conduct which offends their nonviolent credo.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

After the January indictments, and in an attempt to develop government evidence, eleven individuals were subpoenaed to appear before the grand jury. Here the questioning was conducted by the ubiquitous Guy Goodwin, fresh from Tucson. Eight of the eleven testified; one, a priest, declined to answer some questions on the basis of the confidentiality of the priest-penitent relationship. The remaining two (Jogues Egan and Pat Chanel) declined to testify after receiving full (transactional) immunity. They continued to refuse after being cited for civil contempt. The federal appellate court ultimately rejected the government's contention that a witness has no standing to resist questioning on the ground that it is based on information obtained through electronic surveillance or wire tapping. The court ruled that Sister Jogues was entitled to a hearing to determine whether the questions propounded to her by Goodwin had been derived from illegal electronic surveillance.

The Egan case not only raises the question of the right of a grand jury witness who is not a defendant and who, by virtue of an immunity grant, is unlikely to become one, to challenge a subpoena and subsequent interrogation; it also, ultimately, attacks the legitimacy of "national security" wire tapping without judicial sanction. In the case of two other defendants, the government had admitted "national security" surveillance of a telephone to which "a designated defendant" made calls or from which calls were made to him.*

While the Egan case was pending, a second wave of subpoenas descended in mid-April on twenty-three persons. Now the government prosecutor was no longer Guy Goodwin but William Lynch, not an ideologue like Goodwin but a cool craftsman. But the reason for this roundup was the same as for the earlier one: to develop post-indictment evidence for government use at the trial by forcing testimony from a group of activists who had refused to cooperate with FBI agents. Of these, twenty-one refused to testify and two—the parents-in-law of one of the defendants—reluctantly, and under the threat of contempt, agreed to do so because of their age. Four recalcitrant witnesses were cited for civil contempt and four for criminal contempt; all were admitted to bail, pending appeal.

Apparently unable to find sufficient evidentiary support for a bombing-kidnapping plot, the grand jury returned a superseding indictment on April 30, 1970, which added two new defendants (John Theodore Glick and Mary Cain Scoblick). The original indictment had charged seven individuals as co-conspirators but not defendants. In the April 30th document, this group was reduced to four; Dan Berrigan, whom Hoover had originally named as a leader but who was no more than an unindicted co-conspirator in the first indictment, was eliminated from the case.*

The superseding indictment substitutes for the original simple kidnap-bombing conspiracy, a multifaceted plot of which the principal objectives were destruction of draft files in Philadelphia, Delaware and Rochester, N.Y.; the kidnapping-bombing charges now bring up the rear. As the indictment is now worded, the government can obtain a conspiracy conviction without being required to prove a kidnapping-bombing plot. And the hoax-like quality of the entire allegation of a plot is made evident by the fact that the anti-draft actions which are the gravamen of the new conspiracy charge all involve acts which had already been investigated or prosecuted by federal or state authorities. Thus, for example, a new defendant, John Theodore Glick, is charged with a conspiracy to destroy draft files, despite the fact that he is now in jail for having (with seven others) actually destroyed the same files.

What is equally strange is that the government, for more than a year, knew the identities of all the individuals who destroyed draft files in the places referred to in the indictment, because, as a matter of principle, they had all taken public responsibility for their acts. Indeed, it is alleged to be "part of said conspiracy" that "certain of the defendants and co-conspirators" would "surface" and avow their acts. One of the "overt acts" alleged to be in furtherance of the conspiracy is the fact that individuals responsible for the vandalism had identified themselves. If it was part of this vast conspiracy to "surface," it is noteworthy that only in the case of the kidnap-bombing matter have all those charged vigorously denied responsibility and denounced the alleged "plot" as inconsistent with a deeply held commitment to nonviolence.

The superseding indictment revives stale facts to charge a sprawling, amorphous plot to cripple the Selective Service System. What is striking here is not merely that the Hoover charges are no longer in the center of the stage, being now only a subordinate "part of said conspiracy," but that the stage has become enormous. Virtually the entire Catholic Left is viewed as the framework of a conspiracy. Conduct allegedly in furtherance of this many-headed scheme nowhere coalesces or issues from some shared intention.

Apart from the need to protect Hoover, the retained but now subordinated kidnap-bombing charge served as a

NOTICE TO SUBSCRIBERS

Because of postal regulations, *The Nation*'s mailing list must be arranged according to Zip Codes. Therefore—with *any* correspondence about address changes, renewals, etc.—please enclose the address label from your *Nation*. If you don't have a label, be sure to include your Zip number, and *be sure it is correct*. Without it, we cannot find your name plate.

*The appellate court noted that the government never claimed "at any time in the proceeding that it did not employ wire taps nor that any electronic surveillance that may have been utilized was authorized by court order." The disclosure of extensive wire tapping—like the exposure of its informer—is part of the price which the department is paying to validate Hoover's charges. The admission of wire tapping in this criminal case came at a time when the government was insisting to the Supreme Court that "national security" wire tapping did not require judicial sanction because it was employed for gathering political intelligence, a function peculiarly within the cognizance of the executive, and not to obtain evidence for purposes of criminal prosecution.

*In a letter to Hoover, dated May 16, 1971, Daniel Berrigan thus mourned his outcast state: "I ask you to recall . . . the 'progress' of my case. According to your November announcement I was a ringleader in a spectacular plot. Then at a later date, I was shunted to the outer circle of guilt; my status was reduced to that of 'unindicted conspirator.' Finally I was purged of that nebulous criminality. I was declared, out of court, not so much an innocent person, as a non-person with respect to this case."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

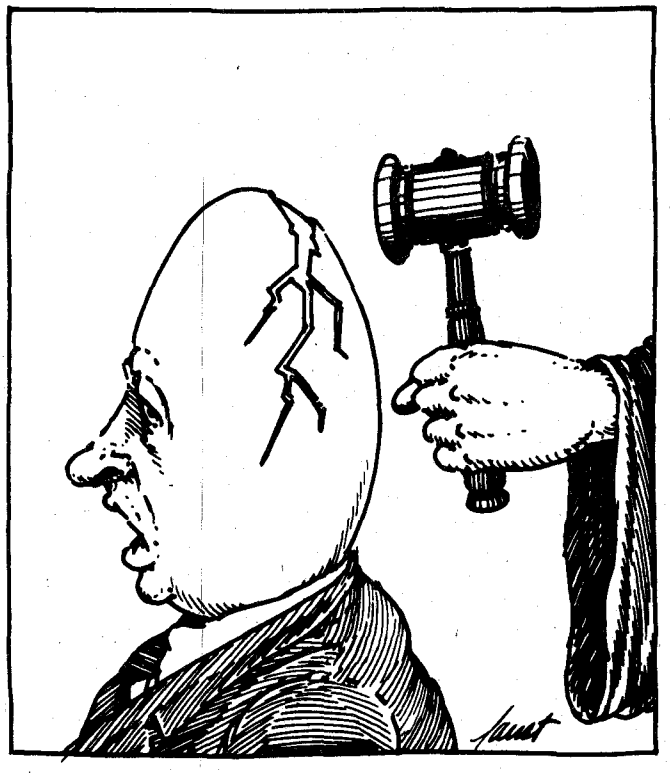
pretext for attaching to the superseding indictment alleged correspondence between Sister Elizabeth McAlister and Philip Berrigan which discussed kidnapping "someone like Kissinger."* Such pretrial publication of letters between alleged confederates is without legal precedent** and their release—a gross violation of the right to a fair and impartial trial and an abuse of the grand jury process—is a measure of the government's strenuous efforts to neutralize the adverse reaction to its procedures.***

The Uses of Ellsberg

In mid-June 1971, shortly after *The New York Times* began publishing material from the Pentagon Papers, a Los Angeles grand jury, originally convened in March, began inquiry into relevant law violations, and on June 28 a hastily drafted indictment of Daniel Ellsberg was handed down. It can hardly be doubted that the government rushed the indictment as a form of pressure on the Supreme Court which had heard argument on the *Times* case on June 26, and to demonstrate the gravity of the matter.

The indictment charges that in September and October 1969, Dr. Ellsberg violated two separate provisions of the criminal code: Ch. 31, Section 641, which proscribes stealing or converting to one's own use a "record . . . or thing of value of the United States," and Ch. 37, Section 793 (e), an espionage provision which, as applied here, bans the unauthorized possession and willful retention of documents "relating to the national defense." If the value of the property converted exceeds $100, conviction on the first offense can result in a ten-year jail term and a fine of $10,000. The same punishment can be imposed for violating the espionage statute.

Ellsberg's indictment was not an end, as one might assume, but a beginning of a highly ramified hunt by two grand juries: one in Los Angeles and the other in Boston. The continuing grand jury investigations are based on two quite different claims (both foreshadowed in the Ellsberg indictment): (*1*) that the Pentagon study or the information it conveys is a form of government "property," or "goods," or an "official record," the retention, transportation in interstate commerce or conversion of which is a violation of the law; and (*2*) that it is either a "document" or "information" (or both) "relating to the national defense" within the meaning of Section 793 (e). The former claim would appear to be only a make-



weight: it hardly seems likely that the government, after having cited the grave and irreparable danger to the national defense as a ground for the extraordinary relief of a pre-publication injunction against *The New York Times*, would now, "domestic as a plate," meekly retire to criminal remedies that ignore the special "defense" character of the documents.

The government is now assertedly trying to find out (presumably for the purpose of additional or superseding indictments) if Ellsberg or anyone else violated that portion of Section 793 (e) which punishes anyone who "communicates, delivers, transmits or causes to be communicated, delivered or transmitted, or attempts to communicate, deliver, transmit, or cause to be communicated, delivered or transmitted" defense-related documents or information "to a person not entitled to receive it . . ."—for example, *The New York Times*, a reader of *The New York Times*, Rep. Paul McCloskey, Sen. Mike Gravel. In short, the government wants to know whether a conspiracy operated to bring the Pentagon study from the Xerox machine to the pages of *The New York Times*. (This conclusion is based primarily on inferences drawn from the number and kind of witnesses subpoenaed, plus the questions put to them. The government has consistently refused to make explicit either its legal theories or the evidentiary need for the testimony of a particular witness. Protective considerations rooted in the First Amendment would seem to favor such a specific showing.)

But the espionage statute is by no means clear or self-enforcing. The operative term of the statute, "relating to the national defense," can mean anything—a catalogue of mineral resources, an inventory of beverages at a post exchange, crop reports, a schedule of ship sailings. It seems much too vague a term on which to build a criminal statute. Does material, once indisputably related to national defense, retain its privileged character, whatever the lapse

*Not only these letters but others of a more personal and private character had previously come into the possession of the press, apparently as a result of a deliberate "leak" by the FBI.

**The government cited scattered precedents which involve the sending of threatening letters directly to the person threatened. Even if the correspondence could be considered a threat to Kissinger, no threatening communication was sent to him.

***A second case involving the Catholic Left resulted from the activities of a federal grand jury in Brooklyn, N. Y. This panel, apparently investigating the alleged theft of documents from an FBI office, subpoenaed six women. The first of the six to appear, Sister Carol Vericker, was held in civil contempt by Judge Anthony Travia when she refused to testify even after being granted immunity from prosecution. On appeal, the Court of Appeals vacated the judgment of contempt, holding that the government had failed to demonstrate that it was investigating a crime for which immunity might be conferred.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of time? When does public knowledge about the content of a document deprive it of "national defense" status?

The Pentagon Papers—for all the Administration's insistence on their privileged character—are dubiously related to the defense of the nation. They furnish a partial historical account of the way in which decisions were made from 1945 to 1968 about the war in Vietnam. The materials reveal no current military, diplomatic or strategic information. They involve for the most part disclosure of past governmental activities by administrations no longer in power. They divulge no usable information concerning contemplated movements of troops or war materials, or having to do with military installations or equipment, with battle plans or military policy. So removed are the papers from the nation's current problems of security and defense that neither the President and his staff nor the Secretary of State ever saw the compilation before reading portions of it in the *Times*.

Lawyers who have looked into the problem agree that serious legal difficulties will plague prosecutions under the statute, unless its application is confined to genuine defense secrets the disclosure of which would obviously imperil military security or, alternatively, to more broadly defined defense data, provided the defendant had reason to believe that its disclosure could injure the United States. And reinforcing these legal reservations are policy demands which trench to the heart of the democratic process. Unless the statute is narrowly construed and applied, it can be used to quarantine secret decision-making activities of the executive from scrutiny by Congress, the courts, the press and the public; to shield war criminals from political and legal responsibility; and to punish war critics who rely on defense-related documents while leaving untouched the decision makers who use such documents to justify themselves.* Thus, inescapably implicated in the criminal trial of Ellsberg (and any others who may be indicted along with him) is the root question: Does the statute give the executive the power to use privileged confidentiality to escape responsibility for decisions which involve the fate of the nation?

For example, information which the Pentagon has continued to censor as highly privileged in the government edition of the study deals with matters not "relating to the national defense" in any rational sense, but with activities whose disclosure might still "embarrass" decision makers (such as complicity in the 1963 coup that resulted in the assassination of President Diem; the secret war in Laos; the commitment to nuclear weapons in the event of an assumed war with China). But it is precisely in this area that the strictest accountability—and hence the fullest disclosure—is imperative if democratic government is to survive in this country. Plainly, the "national defense" mandates not self-protecting censorship of these decisions but their widest possible public debate.

The Price of Principle

On June 23, Anthony J. Russo, Jr., a 34-year-old engineer and political scientist, a friend and former colleague of Ellsberg at the RAND Corporation, appeared before a grand jury in Los Angeles, pursuant to subpoena, and was asked a series of questions about Ellsberg's activities. When he declined to answer on Fifth Amendment grounds, he was offered full immunity; persisting in his refusal, he was held in contempt on July 2.

Between the time of the refusal and the contempt session Ellsberg was indicted. Since all the questions put to Russo involved Ellsberg, counsel for Russo argued that the grand jury had no right to inquire further of his client concerning a matter which the grand jury had resolved by indicting Ellsberg. Brushing aside the defense's contention that grand jury process cannot be used as a means of pretrial discovery of evidence, but must be confined to the accusatory procedure of indicting on probable cause, the court held Russo in civil contempt, to be confined until he "was disposed to answer the questions."

Russo's appeal was rejected by a three-judge appellate panel on August 17. In response to the contention that the grand jury process was being abused, Robert Keuch, chief of the Appellate Section of the Internal Security Division, replied that "there is a possibility of other defendants and a possibility of other activities." Keuch added that if Russo answered the questions, "other areas of investigation might possibly be opened."

Russo was remanded to jail on August 16, the day that Ellsberg appeared for arraignment. They appeared together on the courthouse steps, and Russo made a moving statement affirming his solidarity with Ellsberg and sharing responsibility for publicizing the Pentagon Papers. He rejected the alternative to a prison sentence of collaborating in the "attempt to prosecute Daniel Ellsberg by testifying in secret before a grand jury. I would rather tell my story openly, free of the compulsion of grand jury subpoenas and contempt citations and not as a tool of the prosecution." Russo paid tribute to other anti-war activists, including the Berrigans and Eqbal Ahmad.

Russo remained in jail for forty-seven days,* at the end of which time he was released, after he offered to testify, subject only to the condition that he receive a transcript of his testimony. The condition was accepted by the court on October 1 over the prosecution's vigorous protests. When he returned to the grand jury room on October 18 he was bluntly informed by Assistant U.S. Attorney Nissen that the court's order requiring that he be furnished a transcript was "unlawful." When the government persisted in its refusal to comply with the order, the court on November 17 ordered Russo's release.

(Continued on page 18)

*See, for example, Lyndon B. Johnson, *The Vantage Point*, pp. 251-52; 590.

*At the outset of his incarceration Russo was placed in isolation, handcuffed and shackled, when he protested the treatment of other prisoners. Later, his attorney moved to terminate his imprisonment on the ground that his confinement had been ordered "for the life of the grand jury," and that the grand jury in question expired no later than the second Monday in September, and had already indicted Ellsberg. The court accepted the U.S. Attorney's argument that the extension of the term of the grand jury—even though ordered subsequent to the contempt sentence—automatically extended the potential length of the punishment. It also accepted Nissen's statement that the indictment of Ellsberg constituted only a small portion of "a very broad investigation." The continuing probe, he insisted, was not "at all" aimed at assembling evidence to support the Ellsberg indictment, but rather sought to identify "who else is involved and who may have committed perjury before the grand jury."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Some Cartoons of 1971

Uluschak, Edmonton Journal (Canada)

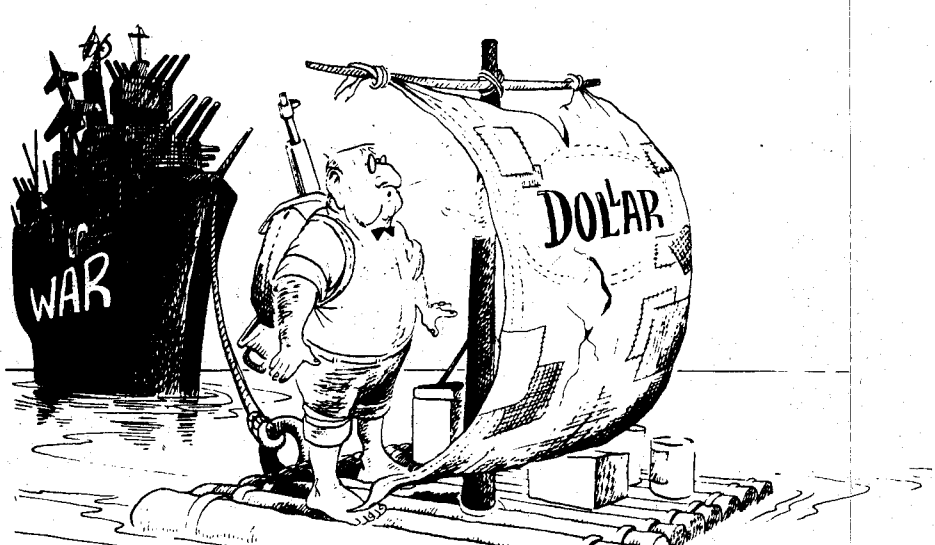
"Just a Little Farther Back, Alexei!"

Huffaker, News & Observer (Raleigh,

Mac, Daily Sketch (London)

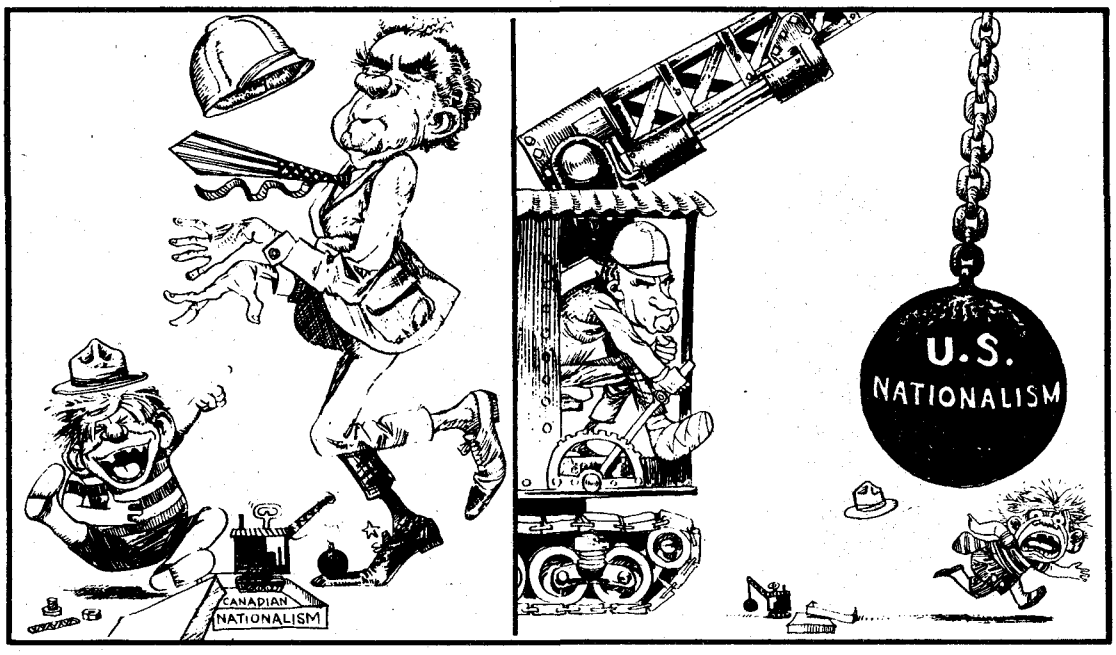
"Would You Like to Sign Now? Or World You Like a Demonstration of How the Nose Wiggles Up and Down?"

Dunnett (Canada)



Vadillo, Siempre (Mexico)

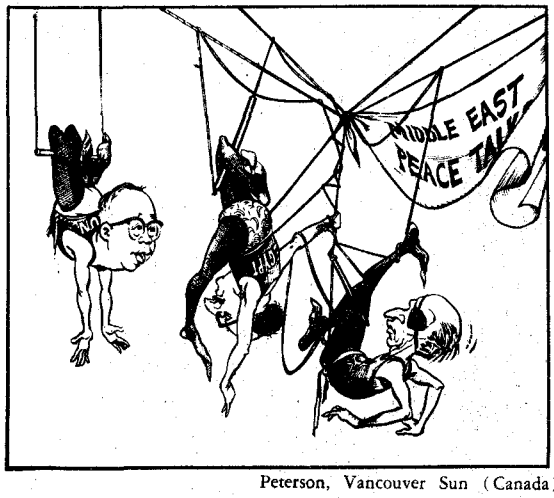
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Macpherson, Toronto Star

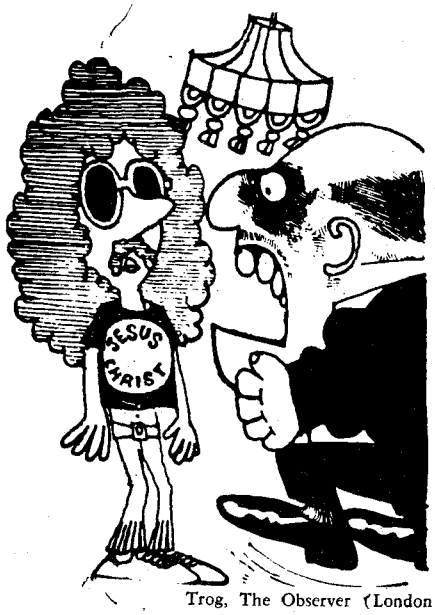
Norris, Vancouver Sun (Canada)

"Mother's Getting a Fix"



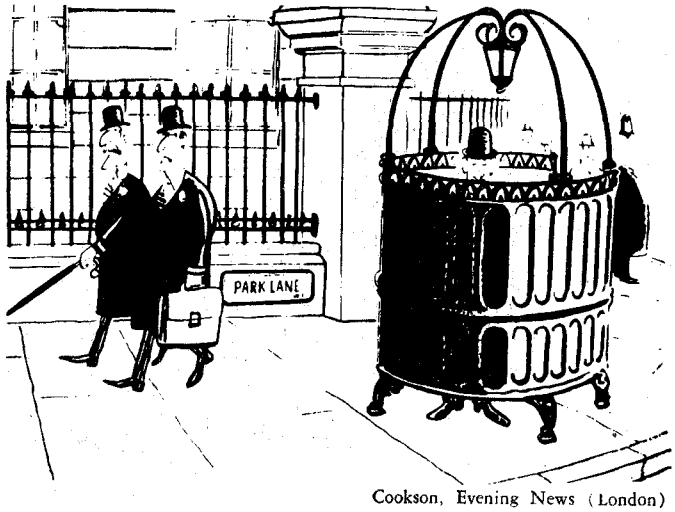
Peterson, Vancouver Sun (Canada)

"On the Other Hand—Anything Short of Falling off Is Artistry in Motion"



Trog, The Observer (London)

"I'll Not Have that Language in this House"



Cookson, Evening News (London)

"I See the Rot's Setting in Already!"

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A Gathering Up of Family and Friends

In the summer and fall of 1971 prosecutor Nissen had subpoenaed a number of friends, colleagues and relatives of Russo, Daniel Ellsberg and Patricia Ellsberg, including her brother and sister (both of whom were dismissed after refusing to answer questions). A small army of Ellsberg's neighbors, tradesmen and anti-war acquaintances and colleagues were also interrogated by the FBI.

The Los Angeles grand jury also heard Robert, Ellsberg's 15-year-old son, who was subpoenaed at 7:30 in the morning for an appearance two hours later. He was summoned although his mother, Daniel Ellsberg's ex-wife, had been induced to testify on the representation that her appearance might obviate the need to call her son.

In September a government subpoena sought to obtain parcels stored by Ellsberg at a Beverly Hills warehouse in 1970. This subpoena was initially quashed by trial Judge Byrne, on the ground that its execution would violate Ellsberg's rights under the Fourth (unreasonable search and seizure) and Fifth (self-incrimination) Amendments. A search warrant was thereafter signed by a federal magistrate on a secret showing of "probable cause," and twenty-eight containers of Ellsberg's stored effects were carted off by the FBI. Here, again, the government prevailed by its disavowal of seeking evidentiary support for an existing indictment and its reliance on a continuing investigation involving "other offenses and other persons."

The broad scope of the Los Angeles inquiry and the persistent unwillingness (or inability) of the U.S. Attorney to specify its further aims (what "other offenses and other persons?") suggest either a fishing expedition in the hope of turning up a group crime (conspiracy or aiding and abetting) or simply the use of grand jury subpoenas to intimidate opponents of the war—especially intellectuals. These themes dominate the Boston inquiry.

The Boston grand jury, also an ISD operation directed by U.S. Attorney Nissen, has subpoenaed more than twenty witnesses. A central focus of the Boston inquiry appears to be *New York Times* reporter Neil Sheehan and his wife, Susan, a writer for *The New Yorker*. Neither Sheehan nor his wife has been called by the grand jury, but the FBI has been probing their private records and quizzing friends and neighbors about them. It is widely assumed that they are candidates for indictment, but that for political reasons the government will refrain from proceeding against Sheehan's employer, *The New York Times*, although Sheehan's role in breaking the Pentagon Papers story appears to have been purely that of a reporter acting on behalf of his employer.

A considerable number of subpoenas are directed at a group of Southeast Asia scholars, journalists and lawyers, all of them strong opponents of the war and most of them connected with a university or research institute. Among those subpoenaed are: Richard A. Falk, a Princeton professor of international law; Noam Chomsky, M.I.T. linguistics authority and an influential writer on the war; Ralph Stavins of the Institute for Policy Studies, co-author of the recently published *Washington Plans an Aggressive War*; Samuel Popkin, a Harvard scholar of Vietnam; David Halberstam, a former *New York Times* reporter who covered the war in Vietnam and is now writing a history of American involvement there. In addition, the grand jury has summoned Leonard Rodberg, a fellow of the Institute for Policy Studies, and K. Dun Gifford, a former top assistant to Sen. Edward M. Kennedy. Most of these men are friends of Dr. Ellsberg—hardly surprising in view of their shared professional involvement in research and writing about the war.

Protection of Sources

Resistance to the subpoenas has generated a number of highly important issues. The first of these is the interpretation and application of a decision by the Court of Appeals for the Ninth Circuit in the *Caldwell* case. This case, now under review by the United States Supreme Court, involves Earl Caldwell, a black reporter for *The New York Times*. He was subpoenaed by a San Francisco grand jury probing certain possible criminal activities by members of the Black Panthers. Caldwell sought to quash the subpoena because, as his attorney put it, "it compelled disclosure of information received by a journalist within the scope . . . of confidential relationships, jeopardizes these relationships and thereby impairs the journalist's ability to gather, analyze and publish the news. . . ."

The federal district court refused to quash the subpoena, but instead entered a broad protective order designed to close off interrogations into confidential information while permitting "questions concerning . . . statements or information . . . given to him for publication or public disclosure." Caldwell was also protected from being required to reveal confidential associations or sources, a stricture subject to modification only on a showing by the government of a "compelling and overriding national interest in requiring Mr. Caldwell's testimony which cannot be served by any alternative means. . . ."

Caldwell was ultimately held in contempt for refusing to appear and on appeal the contempt order was reversed (no appeal having been taken from the protective order) on the ground that Caldwell's appearance before the grand jury would in itself jeopardize "the public's First Amendment right to be informed. . . ."

Subpoenaed in Boston

A group of individuals (Richard A. Falk, Ralph Stavins, Noam Chomsky, David Halberstam and Leonard Rodberg) filed motions to quash their subpoenas on the authority of the *Caldwell* case. The motions assert that a mere appearance before the grand jury would jeopardize carefully developed sources of confidential information about the war in Vietnam, acquired through relationships of trust and would thus impair the effective exercise of professional functions of the movants. As Falk's affidavit typically puts it: "Much of my professional work . . . has been dependent upon the trust of many individuals and upon access to a variety of kinds of confidential information. My contact with the subject-matter of this Grand Jury investigation is solely a consequence of this trust and with the exclusive purpose of carrying out my professional role as an author and a journalist. To require my appearance in a secret proceeding of this type . . . concerned with this subject would undermine the confidence of others in my capacity to protect my sources of information against disclosure."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The importance which scholars, writers, publishers, editors, consultants, media people generally, and government officials attach to protecting confidential sources and the fear of the effect of a grand jury subpoena on trust relationships, is attested to by an extraordinary series of affidavits (about eighty) annexed to the motions of the subpoenaed individuals.*

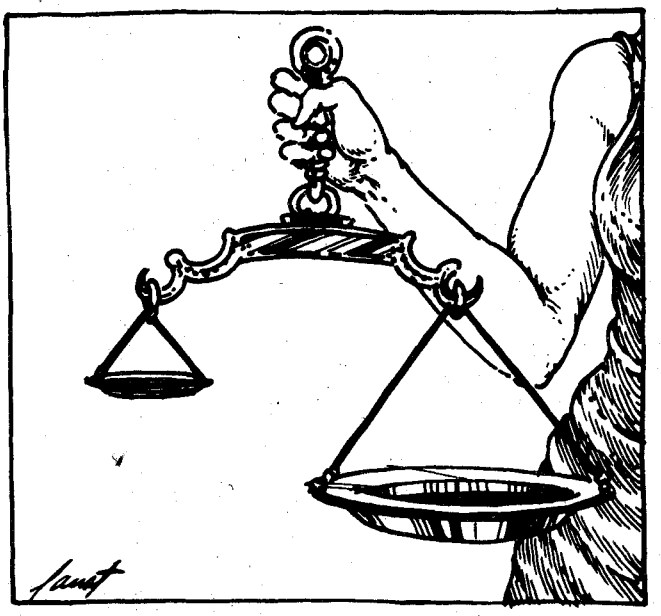
On October 4 district court Judge Garrity denied the motions to quash the subpoenas. The court conceded that the First Amendment protections which were applied in *Caldwell* to the dissemination of news matter also sheltered books and magazines, but it ruled the *Caldwell* case inapplicable because Black Panthers were notoriously distrustful of government and could not be compared to sources, such as Falk's, "who likely are highly trained and sophisticated individuals." Besides, the court concluded, Caldwell's relationship to his sources was more "exclusive" than the sources upon which Falk and the other scholars and writers relied. In addition the court found that the *Caldwell* probe was diffuse and general, while the Boston one focused on "specific crimes."**

It could not be presumed that such an inquiry would inhibit the lawful flow of confidential information.

One of the subpoenaed scholars, Samuel Popkin of Harvard, an expert on Vietnamese village life, limited his request for relief to a protective order freeing him of the obligation to answer questions about information received from confidential sources. Popkin has so far been refused the requested protection.

The unusual response of the scholarly community reflects a number of concerns beyond those implied in the *Caldwell* issue. Scholars see in these mass subpoenas a replay of the attacks of the fifties on China scholars. As John K. Fairbank, director of Harvard's East Asian Research Center, put it: "In the absence of any evidence of criminal conduct . . . a subpoena has an effect of intimidation both on the person subpoenaed and on those who might have contact with him. I can testify from personal knowledge that in the early fifties this effect of intimidation, as a result of widespread subpoenas of China scholars, had the public effect of inhibiting realistic thinking about China, and I believe the result carried over into unrealistic thinking about Chinese relations with Vietnam and helped to produce our difficulties there."

There is a growing sense in university circles that the Boston probe has been used by the Administration as a pretext for taking anti-war scholars to the woodshed. The massed effect of the grand jury affidavits is to dramatize the extent to which the community of American scholars in the field of Southeast Asia has moved into the theatre of activism and how its expert knowledge—deepened by relationships with diplomats and public officials, here and abroad, military personnel and functionaries of foreign governments—has been employed both to shape public



opinion formation and in private consultation. There is scarcely a politically prominent opponent of the war who has not drawn on this body of knowledge. An attack on these activist scholars is really an ill-concealed attack on the most influential leaders of the opposition to the war.*

The affidavits also disclose the large number of bureaucrats who use their access to scholars and writers to "leak" confidential information in an attempt to reverse repugnant war-connected policies and decisions. This galls the Administration, which has resorted even to lie-detector tests to trace suspected "leaks." Contrary to Judge Garrity's assumption, this flow of vital information would surely be affected by grand jury interrogation.

The affidavits also make scholars in other research areas uneasy about the integrity of confidential relationships. This concern was graphically expressed by Prof. Robert E. Lance of Yale, president of the American Political Science Association for 1970-71: "From my knowledge of the work of others . . . I am convinced that substantial doubt among respondents about the confidential treatment of the material offered in scholarly interviews, would in the past have specifically reduced our knowledge of communism in Southern Italy, the politics of Ghana, the military in Brazil, the perception of the Arab cause in Lebanon, the attitudes toward war among leaders of four major European powers, the attitudes toward law held by convicted criminals in our prisons, the operation of the Mayor's office in New Haven, and much more."

In addition to the *Caldwell* issue, a number of the subpoenaed scholars have charged that their telephone conversations had been tapped. The government did not deny these claims, and Judge Garrity ruled, in agreement with two appellate courts, that the movants had standing to raise the wire-tap issue and that a sufficient showing had been made to require the government to affirm or deny whether in any of the cases conversations to which the movant was a party had been electronically overheard and whether electronic surveillance of anyone would form the basis for any questions in the grand jury room. On October 29, he

*Among the supporting affidavits are those of John Kenneth Galbraith, Harrison Salisbury, Stanley Hoffman, Edwin O. Reischauer, John K. Fairbank, Samuel H. Beer, Karl Deutsch and other internationally known scholars.

**The record does not sustain this distinction. The San Francisco probe had a quite specific series of crimes under investigation and its objectives were certainly no more diffuse than those of the Boston grand jury.

*And in the case of Senator Gravel, to be discussed below, not concealed at all.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

entered an order conditionally quashing a number of the subpoenas if the government failed within seven days to affirm or deny the use of electronic surveillance. The government failed to respond.

Reaching into the Senate

The attempt to use the espionage statute to bulwark the executive's control over information to the exclusion of the Congress is implicit in the grand jury subpoena of Dr. Leonard Rodberg, who was serving as an aide to Sen. Mike Gravel when, on June 29, the Senator read the Pentagon Papers into the *Congressional Record*, and who allegedly arranged, on the Senator's behalf, for republication of the study by the Beacon Press. The conflict between "executive privilege" and the "people's right to know" which permeates the entire Pentagon affair here becomes critical. Both Senator Gravel and Dr. Rodberg sought to quash the subpoena on the basis of the Constitution's "speech or debate" clause.* The government replied that the protection does not apply to Congressional employees and that, in any event, the Senator himself could be punished for "causing" the republication of the study. "The privilege conferred . . . lies only when the act done was a part of the legislative process." A limited protective order has been issued confining the "speech or debate" privilege to matters relating to a hearing of a subcommittee presided over by Senator Gravel but excluding the republication activities. Senator Gravel and Rodberg have sought review of this interpretation of the "speech or debate" clause as unduly restrictive; the government has also appealed, seeking sanction for a ruling that would permit questioning and possibly ultimate prosecution of both the Senator and his aide for arranging for the republication of Senator Gravel's copy of the study. In *The New York Times* of October 15, Henry Steele Commager said of the attack on Senator Gravel's immunity:

> It is part and parcel of what can only be described as a concerted campaign to deny the American people that knowledge about the operation of their Government so essential to the sound functioning of democracy. It is a direct assault on the Constitution and the separation of powers; it is an indirect assault on the principles which the Constitution was designed to preserve and advance, above all the principle of freedom of speech and of the press.

The Boston grand jury also subpoenaed in October a seminar paper that Dr. Ellsberg had delivered before the Council on Foreign Relations in November 1970, seven months before the publication of the Pentagon Papers. The paper was first requested by the FBI, but the Council's associate executive director refused "to turn it over to them because we have a Council rule on confidentiality which extends to the government and we take it very seriously." Despite this policy—vital to free interchange in Council discussions—the Council leadership surrendered the study in compliance with the subpoena and without consulting its members or Dr. Ellsberg—a decision that elicited protests from Arthur Goldberg and others. William Bundy, editor of the Council's quarterly, *Foreign Affairs*, and himself a participant in some of the decisions described in the Pentagon study, conceded that Ellsberg's paper "had nothing to do with the Pentagon Papers."

In contrast to the collapse of the Council—which recalls the failure of some universities in the 1950s and 1960s to resist Congressional subpoenas calling for the identification of students or speakers—the Unitarian-Universalist Association is strenuously resisting a grand jury subpoena that seeks to give the FBI access to the bank records of the association and its publishing arm, Beacon Press. Robert West, president of the association, perceives "grave danger in the subpoenaing by the government of the checks of a religious denomination, particularly as it relates to the publication of a controversial book." (For reasons which are hardly inscrutable, no subpoenas have been issued for the records of *The New York Times, The Washington Post* or other newspapers which published the Pentagon Papers.) Senator Gravel has accused the Administration of "trying to suppress the Pentagon study and punish Beacon Press." He has further charged in Congress that his office in Anchorage is under FBI surveillance and that the FBI has taken personal papers from his files.

The director of the M.I.T. Press had also been subpoenaed—apparently because he discussed publication of the papers with Rodberg before the Beacon arrangements were concluded. Although the study (with some deletions) is now available in both commercial form and as a government publication, the inquisition by subpoena continues.

The entire grand jury frenzy threatens individual rights and violates the principle of the separation of powers; it is another front in the steady expansion of executive power —this time at the expense of the judicial branch. The *post hoc* claim—that the investigations are simply an exercise of the conventional accusatory functions of the grand jury —is no more acceptable than the assertion of legislative purpose by the anti-subversive Congressional committees.*

All three groups of grand juries that we have been discussing can be termed political, in the sense that their sweeping activities are unified and explained by a concealed ideological hostility. In the case of the Harrisburg and Pentagon grand juries, a supplementary political motivation is the desire to vindicate and legitimize prior governmental actions widely attacked as illegal—the testimony of Hoover and the attempt to enjoin *The New York Times*. (Similarly, it is highly unlikely that Leslie Bacon would have been indicted in New York had it not been for the government's failure in Seattle.) Because the government's stake in an indictment is so high, its need to demonstrate the gravity of the conduct involved so exigent, it is dangerously abusing the powers of the grand jury.

These abuses may well continue unless the Supreme Court penetrates the realities behind the government's exculpatory rationale. But that may take a long time. □

*Article I, Sec. 6 provides that "for any speech or debate in either House, they [Congressmen] shall not be questioned in any other place."

*It is an old (and ironic) story that in a democracy the need to justify a challenged exercise of power frequently breeds deception both about the nature of the specified evil and the means required to combat it. A pointed recent example is the executive order delegating to the moribund Subversive Activities Control Board, without Congressional sanction, the power—formerly exercised by the Attorney General—broadly to list and proscribe "subversive" organizations, the asserted narrow purpose being to fix qualifications for federal employment.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BOOKS & THE ARTS

Whose Edith?

EDITH WHARTON: A Woman in Her Time. *By Louis Auchincloss. Illustrated. The Viking Press. 191 pp. $10.*

VIVIAN MERCIER
Mr. Mercier teaches English and comparative literature at the University of Colorado. His latest book is The New Novel: From Queneau to Pinget (*Farrar, Straus & Giroux*).

So far, there are three main ways of writing about Edith Wharton—all of them unsatisfactory. One might call them the "our Edith," "their Edith" and "nobody's Edith" schools of thought. Louis Auchincloss is an "our Edith" man all the way. Snugly ensconced in the New York Social Register, he explains Mrs. Wharton to all those non-WASP types out there, and up to a point he doesn't do badly. That point is reached when he calls *The Age of Innocence* "the finest of her novels." I had been suspecting him of unsoundness from an earlier stage in this biographical essay, when he said of *The House of Mirth*: "We finish the book with the conviction that in the whole brawling, terrible city Lily [Bart] is the one and only lady."

Who are "we"? Edith Wharton judged her heroine more harshly than that when she wrote, "There had been nothing in her training to develop any continuity of moral strength. . . ." Lacking her creator's secure ego, Lily could not make the choices that constitute moral action, without which the word "lady" is a synonym for "store-window mannequin." (I'm a bit of an old-fashioned WASP myself.) If Lily had married either the relatively poor man who alone understood her or the Jewish millionaire whom she disliked, Mrs. Wharton could have won her readers' respect for either course; but Lily fails to choose at all and finally realizes that, like her parents, she "had been rootless, blown hither and thither on every wind of fashion, without any personal existence. . . ." Mrs. Wharton can make us pity and sympathize with Lily but not respect or love her. Note that phrase "wind of fashion." The underlying cliché is "wind of passion"; the rare Edith Wharton character who *is* passionate—Ellen Olenska in *The Age of Innocence* or Charity Royall in *Summer*—always keeps our respect, though her end may be almost as unhappy as Lily Bart's. Even in Auchincloss' rather sentimental reading, however, *The House of Mirth* has a core of hardness.

The Age of Innocence, on the other hand, has a core of mush. "Nostalgia" is Auchincloss' apt title for his chapter on Mrs. Wharton's Pulitzer Prize novel (very likely the award was made partly to keep out Sinclair Lewis' *Main Street,* a book that I suspect would now seem more dated than *The Age of Innocence*). The novel, like Auchincloss' chapter on it, is an apologia for the Social Register New York of Edith Jones Wharton's youth, written when, thanks to her genius, she had long broken out of that circle of the damned and was permanently domiciled in France. For me, *The Age of Innocence* prefigures Mrs. Wharton's decline, which became steep indeed in the novels that followed, except for the rather less nostalgic *Old New York.* For the "our Edith" critics, though, it is the apex of her career as the poet laureate of the New York upper crust—wonderfully precise in her details of costume and décor, frequently critical of moral decay in the old New Yorkers as well as the new rich who invade their turf, but emphatically "one of us." Even so great a critic as Edmund Wilson seems to me tainted by this attitude toward her, due no doubt to his own upper-class origin.

The "their Edith" critics—Irving Howe, Alfred Kazin and Lionel Trilling, for instance—start from a point diametrically opposed to Auchincloss', yet arrive at conclusions oddly similar to his. All of them profess to view upper-class Episcopalian Edith with Marxist objectivity, forgetting that their own vision is in part conditioned by their petty-bourgeois Jewish origins. Even more than the "our Edith" school, they imply that her novels are interesting period pieces, very valuable for the social historian, but not essential reading for those chiefly interested in literature as an art.

The academics, by and large, are "nobody's Edith" people. They see that her range as a writer is far wider than that claimed for her by the first two critical schools, but they lack confidence in their own judgment. If Henry James had not been the only indisputably great writer to admire Edith Wharton's work, they would feel much less insecure. As it is, they tend to praise *The Reef,* considered to be her most Jamesian novel, either more than it deserves or for the wrong reasons.

The moment of truth is here: I must give a picture of "my" Edith. Well, the rock (not *The Reef*) on which I found my church is that Mrs. Wharton's masterpiece is *The Custom of the Country.* In other words, the quintessential Wharton—a master must be called by a last name, even if it is that of her rather inadequate husband—is a satirist, an ironist, a psychologist, a moralist in the French rather than the Sunday-school sense. I believe Marx would have thought her a better Marxist in her social analysis than most of the *Partisan Review* crowd. If Women's Liberation will read this book and her others with care and patience, they will find that she is on their side. The "custom" in the title can be interpreted as divorce: Undine Spragg's annulments and divorces are her stepping stones to higher things. But a minor character says, "It's against the custom of the country" for a husband to discuss his work with his wife. "Why haven't we taught our women to take an interest in our work? Simply because we don't take enough interest in *them.*"

Auchincloss was seriously remiss in omitting *The Custom of the Country* entirely from *The Edith Wharton Reader,* but he makes amends here, allotting a chapter to it as to *The House of Mirth* and *The Age of Innocence.* I think he errs in calling it a "determinist" novel à la Zola; *The Custom of thé Country* is a study of female ambition worthy to set beside Balzac's many studies of male ambition. Balzac portrayed the ousting of the aristocracy by the bourgeoisie, and Wharton adapted this theme to an American setting, though she was well aware that only three New York families could "claim an aristocratic origin in the real [i.e., the European] sense of the word." The ironic ending, when Undine realizes her husband can never become an ambassador because she is a divorcée, is worthy of Balzac at his best, but Jamesian in its understatement: "She could never be an Ambassador's wife; and as she advanced to welcome her first guests she said to herself that it was the one part she was really made for." Auchincloss becomes uncharacteristically eloquent about this novel: "So in the end the invaders themselves fall victim to the triumphant Genghis Khan of American commercial society: the sexless female who knows nothing and believes in nothing, but who holds the world strictly accountable for her eternal disappointments."

The other dogma fundamental to my

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

private cult of Wharton is that although she may never have known what it was to be truly loved, she did know what it was to love passionately. Auchincloss either doesn't know much about her love life or isn't telling. I understand her private papers are now available to scholars; no doubt we can expect the who, the when and the where in due course. Let us hope against hope that her heart is laid bare with some tenderness and tact. In the meantime, surely nobody could read the novels and the innumerable good short stories without becoming convinced that Wharton had known passion? She may have ridden her feelings on a tight rein, but that was precisely because they were apt to run away with her. Auchincloss comments justly on the rather epicene flavor of the bachelor dilettantes who formed her "court," but very strong yet feminine women often attract men who are unsure of their own masculinity. Everybody agrees that the bachelor Walter Berry was the most important man in her later life, but Auchincloss says, "Their relationship does not suggest a love affair to me. If they had had a happy one, why would they not have married when she obtained her freedom in 1913? And if they had had an unhappy one, would their intense friendship have continued, unabated, until Berry's death in 1928?" These are pointless questions, since there is literally no limit to the variety of human relationships. Especially in middle age, a happy love affair that has died a natural death can provide an admirable basis for friendship. Also, Wharton's short story, "Souls Belated," offers some excellent reasons for a divorced woman not to marry her lover—though its heroine perhaps will marry hers in the end.

As for Wharton's treatment of sex and love in her work, it is foolish of Auchincloss to say about *The Custom of the Country*, "a more important fault in the book is Edith's failure to be more explicit about Undine's sexuality." In 1913 this just wouldn't have been possible; look what happened to Lawrence's *The Rainbow* two years later. Wharton herself humorously lamented in her autobiography, *A Backward Glance* (1934), that "we who fought the good fight are now jeered at as the prigs and prudes who barred the way to complete expression. . . ." She was always trying to tell us as much of the truth about sex in her society and in human life in general as she possibly could. For example, *Summer* (1917) shows us a small-town girl who loves a visiting New Yorker without thought of marriage, hides her pregnancy from him, refuses to have an abortion, and plans to bring up her baby on her own. If, very reluctantly, she marries an older man, it seems to be because she is convinced that he loves her deeply. Many of Wharton's readers at the time must have been shocked that Charity never repents or feels remorse. Why should she? In her ignorant, half-instinctive way Charity makes her choices and lives her morality.

Just how good a novelist is Wharton? Auchincloss, though he insists so much on the narrowness of her range, dismissing *Ethan Frome* as "the *tour de force* of the skilled craftsman," actually rates her very high indeed, placing her just outside "the tiny class of the greatest novelists." She lacks the universality of Tolstoi, who "confined *War and Peace* to a handful of aristocratic characters without being called a snob because he saw mankind in every man. Edith did not quite see all this behind her characters." I wish I had time to do a little research on translations of Wharton: there is no better test of a writer's universality than the number and variety of translations. It is hard to imagine *The House of Mirth* catching on in Soviet Russia, but *The Custom of the Country* or *Ethan Frome* or *Summer* would go, I'm sure. *The Age of Innocence* was translated into French, and one can imagine the entire Wharton canon being accepted in the homeland of Proust. On the other hand, there are a few great novelists who are culturally untranslatable. How has Jane Austen fared outside the English-speaking world, or even outside England? Wharton often rivals Austen on her own ground of minute ironic observation: the subtler overtones and implications must be lost by many English-speaking readers, let alone a translator unsure of both milieu and language. Many Austen and Wharton characters reveal their lack of breeding and sensitivity not so much by what they do as by what they say—and even more by the way in which they say it. Nevertheless, I think Wharton's worldwide reputation is bound to grow, not because she "saw mankind in every man" but because she saw womankind in every woman.

I have no vested interest in Wharton: American literature isn't my field, and I came upon her by accident. I've only known her work, except *Ethan Frome*, for two or three years, and my opinion may change with time. At the moment, however, I feel that James and Faulkner are the only American novelists of the 20th century who can justly be set above her; a lot of the other novelists one might think of seem like little boys beside her—and the women writers like tomboys. The next time anybody tries to convince me that Wharton was a female James or a literate Jacqueline Bouvier, I'm going to make him read every word of *The Custom of the Country*. It will be a reward instead of the punishment he deserves.

I apologize to Mr. Auchincloss if I have belabored him unduly. His text is of course far above the usual level of writing to be found in picture books, while the illustrations he has chosen are either beautiful or interesting or both at once—especially the houses and the World War I battlefield scenes. As for the rest of the pictures, Bernard Berenson's Nicky Mariano correctly described Wharton as possessing "an ugly mouth, shaped like a savings box," but the one color plate, of Edith "Pussy" Jones aged 5, makes up for all the rather grim black-and-white versions of Wharton in her years of fame. Those, however, probably come nearer the truth about her. She was a tough cookie who succeeded in a man's world, and if she had a soft center, as I believe, her best books don't have one. □

Up from Acupuncture

L'ECONOMIE CHINOISE. *By Jan Deleyne. Seuil (Paris). 217 pp. 23 francs.*

AARON SEGAL
Mr. Segal is the editor of Africa Report.

How do you analyze an economy which has published hardly any statistics for ten years and where the total population is not reliably known, but the statistics have a possible margin of error of 100 million? Jan Deleyne, a French economist and journalist, has provided a highly readable, intelligent and conscientious study of the Chinese economy based on what limited quantitative data are available, his own personal visits and observations, and the accounts of Japanese and Western businessmen, scientists, journalists and others. Most important, where information is lacking, accounts differ, or sources are uncertain, this book candidly says as much. The book's only serious methodological failing is that Soviet studies of the Chinese economy were not consulted in the writing of it.

The author discusses the pre-1949 economy; the economic policies prior to 1959 and the massive disruption of Soviet aid and trade; the motivations and effects of the Great Leap Forward in 1959-62; the 1966-68 cultural revolu-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

DETOUR: NORTH DAKOTA, HEADING EAST

It might have been the Mekong,
Salerno, Pusan, Verdun.
Someone else's landscape:

The dead oak tree
rises from the prairie
like an old man's hand—
some grandfather
who lived here once,
when there still was love.

Children without voices play
beside the empty stocktanks.
Stagnant ditchwater
slowly freezes under November winds.

On the way toward home at last
I drive past two women
staring into the fields
as if all the suns of the earth
had eclipsed behind their eyes.

Mark Vinz

tion; and the current modest reopening in foreign policy. There are coherent and informative chapters on agriculture, industrialization, science and technology, external trade, demography and transport. Where data at a national level are weak, the author gives a brief, vivid sketch of a specific factory or a particular commune visited by foreigners. The one major sector of the economy which is not adequately treated is that of education; the book's focus is almost entirely on university-level instruction in science, and no clear picture of total educational expenditures and programs is presented.

Deleyne's conclusions are modest and convincing. China is a poor country and likely to remain so. It has made immense strides in heavy industry, particularly in petroleum and petrochemicals. Yet its natural resource base is poor and its agricultural fertility and productivity limited. The best estimate of its population is 750 million, and though the Peking government is reluctant to tell foreigners about its methods, it is trying hard to restrain the rate of population increase. China's major economic accomplishment is having made a virtue of necessity after Soviet aid was cut off. Mao's doctrines of self-reliance have spurred exciting conquests in advanced science and technology; the Chinese are proudly refuting Western notions of their backwardness and inferiority.

The book also demonstrates that China has little to offer other developing countries in terms of economic doctrine. Its continental size and population, its decision to limit foreign trade to a volume comparable to that of a country like Norway, its cultural homogeneity, and its determination to spend what the author estimates at 1 per cent of the gross national product to produce nuclear weapons, are all singular and not transferable. Few developing countries have the invulnerability to the external world that is the source of China's strength—and that helps explain the country's fascination.

The real lessons of the Chinese experience lie in the field of income distribution. Apparently no one starves or goes hungry in China, rations of food and that helps explain the country's urban bureaucrats and workers live better than rural peasants but only moderately so, and education, medical care and other social services are available throughout the society. China has not only restrained personal consumption but has supplied it almost entirely from domestic production (the only consumer imports are Swiss watches sold to foreigners at luxury prices). No one is rich, the middle classes do not enjoy a standard of living centuries in advance of the peasantry, and there appears to be a tolerable minimum standard of living provided for all. As China opens its borders, and takes its rightful place at the United Nations and in world affairs generally, the news of the relative social equity it has achieved may have more impact abroad than its little red book. □

Lighting Up the Cantos

DISCRETIONS. *By Mary de Rachewiltz. Atlantic-Little, Brown and Co. 307 pp. $8.95.*

C. DAVID HEYMANN
Mr. Heymann is a lecturer in the Department of English at the State University of New York at Stony Brook. He is the author of The Quiet Hours *(The Poet's Press).*

Ezra Pound always insisted that the idea of the atelier, of the master instructing and assisting his pupils, is as natural a medium for the transmission of tradition in literature as it is in other arts, like that of painting for example. It is in the light of some similar discipleship that we can best understand his relations with his daughter Mary, who sets out here to paint an adoring portrait of the artist. Pound is not simply father but teacher, hero, victim, the righteous man who tried to save the world and fell prey to evil powers. His daughter worships him: "His feelings took on a great significance for me. I completely adhered to his ideas and ideals, as far as I could grasp them."

This laudable desire to protect Pound and restore his tarnished political image overrides every other consideration, and strongly colors another concern of the author's, that of presenting a sketch of what can only be termed a most unusual upbringing. In 1925, Pound's mistress, Olga Rudge, went to Bressanone, just north of Bolzano in the Italian Tyrol, where at the Bressanone hospital on July 9 she gave birth to a daughter christened Maria. At the hospital was a peasant woman, Frau Marcher, whose baby had died at birth; she agreed to take Maria Rudge and to bring her up on her farm in the village of Gais. Whether this arrangement was Pound's idea or Miss Rudge's never is made clear; in any case, their daughter learned "how to grow vegetables, wheat and potatoes, how to milk a cow, cut grass, make hay." She even raised sheep at a profit and kept bees.

All of this must have pleased Pound no end, especially in view of the dreary fact that his main focus had by this time shifted from poetry to economics. Through his reading of C. H. Douglas and other Social Credit economists, the poet discovered the causes of war—or thought he did. He advocated a policy of complete self-reliance and self-sufficiency—both war and scarcity of money were caused by financiers' manipulations—and this was later to lead him to his ardent support of Mussolini and fascism.

When she was 13, Mary left Gais to live with her parents in Venice, and here we see Babbo (her name for her father) enjoying to the full his paternal role. He often took her for long walks along the canals, pointing out and explaining the significance of various historical monuments. Or she would accompany him on his daily shopping route; good food, well prepared, was important to Babbo, and he showed a housewife's care in choosing the materials. He taught Mary to play tennis and took her to the Lido for swimming and rowing. In the evening they would often go to Piazza Santo Stefano for ice cream—"the best in all Venice, Babbo declared." Now and again, with a handful of his closest friends present, Pound read aloud selections from the Cantos. His daughter tells us, "The sound of Babbo's voice, the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

atmosphere and the tableau that repeated itself for years is still vivid."

Olga Rudge is described in less glowing terms. A concert violinist who had much to do with the revival in Italian baroque music, Mamile (Mama) was strict, forbidding, formal even with her daughter. "She had wanted a son, a torchbearer," Mary de Rachewiltz surmises; Pound called it "the impossibility of winning the mother's affection." In Mamile's hierarchy of values, Vivaldi came before anything else. It was not until Mary had reached the age of 19 and been told about her father's "other" family, a wife and a son, that the girl was able to set things in their proper perspective; only then could she understand under what pressure her mother lived her life.

Early in his career, Pound began to formulate the technique ("a poetry, direct, free from emotional slither") which he would later utilize in the writing of the Cantos. He evolved from Imagism through Vorticism to an ideal in poetry which is akin to the technique of Debussy and Ravel in music, of Monet and Whistler in painting. Such artists leave as much as possible to the imagination of the beholder, who is thus called upon to become an artist himself, for he must help create the poem, the musical impression or the picture which is adumbrated for him. Pound called this the "ideogrammic method," and it enabled him to draw together material from the most varied sources. Characteristic of the method are the carefully irregular meters and cryptic allusions of the Cantos, in which transitions from one impression to another are made with the rapidity and irregularity of a dream.

In 1920, Pound conducted his own experiment in autobiography, titling his fragments *Indiscretions*. (Published originally in 1920 as twelve installments in A. W. Orage's *The New Age*, it was brought out again in volume form by The Three Mountains Press three years later.) The choice of *Indiscretions* as a title suggests that even in his prose Pound favored the Confucius-inspired "ideogrammic method," in which the sequence of events is shaped not by logical progression so much as by private excitements of the writer. His daughter, on the other hand, is very much concerned with the proper chronological placement of objects, people and events. Her impressions are too carefully weighed, often measured in three languages as she searches for the right word or phrase. Her thoughts appear to be cut off in midair as though a screening and censoring process were taking place. There are only occasional flashes of Pound's more controversial image, no mention at all of his anti-Semitism, very little of his preoccupation with economics and politics. It is true that we are told of his visit to Mussolini in 1933, as well as his return to the States in 1939, but the particulars of these futile ventures have already been laid out for us (and in much fuller fashion) in Noel Stock's very detailed biography, *The Life of Ezra Pound*. What, then, can one gain from a reading of *Discretions*?

Besides illuminating many of the more obscure passages of the Cantos, the author occasionally gives us glimpses of some of those renowned literary personages who owed so much to Pound for his help. There is an unforgettable account of a meeting at Eliot's house in London between Mrs. Rachewiltz (who by this time was married to a Russo-Austrian nobleman) and T. S. Eliot, after that poet's return from a visit to Pound at St. Elizabeths:

> Tall, thin, stooping, with a sad enigmatic smile, he opened the door and led me into his study: ". . . you must forgive . . . a better welcome . . . I am just out of the hospital . . . we are alone in the house." I was struck by the austerity of the room . . . I felt awed and yet sorry for him . . . the room and his words felt chilly . . . his words lingered: "I fear your father does not want to accept freedom on any terms that are possible. The idea that you should be sent over to persuade him to sign a statement that he is mad, is a travesty."

One could wish for more of this first-hand reportage. Pound's daughter must have engaged in or heard much of that kind of talk and sets down too little of it, preferring instead to linger on the idyllic image of her father that she had once fashioned. Mrs. Rachewiltz, besides having translated a good many of the Cantos from English into Italian, is herself a prize-winning poet. Ultimately, she is at her best when speaking of her own life in her own distinctive voice: of a carefree childhood on a peasants' farm in a Tyrolean village, the superstitions and customs of her backwoods neighbors, her schooling in Florence, working during the war in a German-run hospital in Cortina, the birth of her son, and her present life at Schloss Brunnenburg in the Italian Alps high above Merano. These are the moments that carry the weight of this work. □

Art and Revolution

REVOLUTIONARY LETTERS. *By Diane di Prima. City Lights Books. 80 pp. Paper $2.*

DAVID ROSENTHAL

Mr. Rosenthal is a poet, teacher and translator who lives in New York City. His first book of poems, Bloodlines, *will be published next spring by Barlenmir House.*

Diane di Prima's little book, *Revolutionary Letters*, has been selling briskly. The underground press, in which many of the poems originally appeared, has acclaimed it. More important—many young readers are looking to it for clues about the future of revolutionary poetry in the United States. But the book is short on good poetry and on serious political thought. That this should be so is perhaps less regrettable than the fact that *Revolutionary Letters* is being so eagerly accepted as The Latest News. For *Revolutionary Letters*, though it tells us nothing about the future, does reveal, through its own performance, a great deal about the limitations of the recent literary past.

Diane di Prima can be a poet of some real power. She has a good ear, and a flair for combining the archaic and the colloquial. There are patches of this kind of linguistic counterpoint in *Revolutionary Letters.*

> *Your filched Goodwill wardrobe is scattered thru crash pads where younger girls look for their share*
> *You longed for a baby, a green-eyed madonna whose swaddling clothes bundle the night*
> *The stars drew your circle, like marsh-lights they mock you my sister in a cage, sleep tight*

There's other good stuff too—the "Free City Poems," "New Mexico Poem," "To the Unnamed Buddhist Nun, who Burned herself to Death on the Night of June 3, 1966." In general, though, the book is extraordinarily graceless. Its tone is deadly flat:

> *not western civilization, but civilization itself*
> *is the disease which is eating us*
> *not the last five thousand years, but the last twenty thousand*
> *are the cancer*
> *not modern cities, but the city, not*
> *capitalism, but ism, art, religion, once they are*
> *separate enough to be seen and named. . . .*

As for the content, what does one call it? Reactionary, escapist—anything,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Which 3 of these major works of history and world affairs would you like

FOR ONLY **99¢** FOR ALL THREE

WITH YOUR FIRST HISTORY BOOK CLUB MEMBERSHIP CHOICE

First price is publisher's list. **Boldface** shows member's price.

832. CHINA AND RUSSIA: The "Great Game" *By O. Edmund Clubb.* Three centuries of "massive contest," always short of war. $12.95/**$8.75**

775. THE RISING SUN: The Decline and Fall of the Japanese Empire, 1936-45 *By John Toland.* $12.95/**$8.95**

369. THE SPANISH CIVIL WAR *By Hugh Thomas.* A spellbinder — the complete history of the grim "dress rehearsal for World War Two." $12.50/**$8.50**

606. HENRY VIII *By John J. Scarisbrick.* A highly praised new study of the monarch at front-center stage. $10.95/**$7.65**

746. EMPIRE OF THE STEPPES: A History of Central Asia *By René Grousset.* The great French historian's account of the Mongolian and Turkish invasions—first English translation. $17.50/**$9.95**

726. A HISTORY OF THE AFRICAN PEOPLE *By Robert W. July.* Their richly complicated history, ancient to present times. Highly readable. Filled with facts, not special pleading. $15.00/**$8.95**

791. NAPOLEON: From 18 Brumaire to Tilsit, 1799-1807 *By Georges Lefebvre.* From hero of the Revolution to unquestioned master of Europe. $10.00/**$7.50**

844. TIMES OF FEAST, TIMES OF FAMINE *By Emmanuel Le Roy Ladurie.* Effects of climate on European and American history since the year 1000. $10.00/**$7.50**

782. THE ROMANS: 850 BC-AD 337 *By Donald R. Dudley.* From prehistory to the death of Constantine. $7.95/**$6.75**

Winner of Pulitzer Prize and National Book Award

105. HUEY LONG *By T. Harry Williams.* Buffoon, menace, dictator — yet voice of an authentic American radicalism. The first full-length study of his life. $12.50/**$8.50**

687. ANTI-INTELLECTUALISM IN AMERICAN LIFE *By Richard Hofstadter.* America's historic suspicion of intellectuals — its roots and meaning. Pulitzer Prize winner. $7.95/**$5.95**

708. JEFFERSON AND THE RIGHTS OF MAN *By Dumas Malone.* His eventful middle years — minister to France, secretary of state under Washington, beginning of differences with the Federalists. $10.00/**$7.95**

104. THE INDIAN HERITAGE OF AMERICA *By Alvin M. Josephy, Jr.* The history, archaeology, and ethnology of all Indian cultures in the Americas since the Ice Age. $10.00/**$7.50**

868. COMING APART: An informal history of America in the 1960's *By William L. O'Neill.* $12.50/**$8.50**

750. THE GERMAN DICTATORSHIP: The Origins, Structure, and Consequences of National Socialism *By Karl Dietrich Bracher.* $13.95/**$9.50**

671. MEDIEVAL HISTORY: The Life and Death of a Civilization (2nd Edition) *By Norman F. Cantor.* A lucid, lively and readable book on the total history of the middle ages. $10.95/**$8.50**

476. THE LIFE OF LENIN *By Louis Fischer.* Winner of the National Book Award. $12.50/**$8.50**

857. THE RISE AND FALL OF THE HABSBURG MONARCHY *By Victor-L. Tapié.* $15.00/**$8.95**

767. CONQUEST OF THE INCAS *By John Hemming.* Based on fieldwork and new research of Inca sources. $12.50/**$8.75**

657. THE CREATION OF THE AMERICAN REPUBLIC, 1776-1787 *By Gordon S. Wood.* Bancroft Award winner. $15.00/**$9.95**

543. ANCIENT EUROPE *By Stuart Piggott.* From 6000 B.C. to the Roman era, a fascinating survey of prehistoric barbarian Europe. 194 illustrations. $10.00/**$7.50**

Three good reasons to join The History Book Club:

- **Dramatic savings.** As a trial member, you can save over 50% on your choice of the finest works of history and world affairs—more than 150 titles to choose from each month.
- **Liberal bonus plan.** You are free to select your bonus books from our entire list...no restrictions as in most clubs. After trial membership, you earn a bonus certificate with every four books you purchase.
- **Exceptional quality.** The History Book Club always brings you new volumes identical with or superior to original publishers' editions ...never economy "book club" reprints.

ENROLL NOW TO RECEIVE UP TO $47.50 WORTH OF FINE BOOKS FOR ONLY 99¢

THE HISTORY BOOK CLUB, Stamford, Conn. 06904

Please enroll me as a trial member and send me, for only 99 cents, the three books whose numbers I have filled in:

[ ] [ ] [ ]

Also send me, at the member's price, my first selection:

[ ]

I enclose no money now. Send bill with books.

Within two weeks, I may return the books and owe nothing. Or keep them and agree to take only four more selections in the coming year from among more than 150 offered each month in the Club Review. I may choose any of these instead of the Editors' Choice, or no book at all, by returning the reply card accompanying the Review. NA 02S

PRINT NAME_____

ADDRESS_____

CITY_____ STATE_____ ZIP_____

A small shipping charge is added to each order. Residents of Canada: Please mail coupon to: The History Book Club, 16 Overlea Blvd., Toronto 17, Ontario

THE HISTORY BOOK CLUB • *Stamford, Conn. 06904*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

surely, but revolutionary. One of di Prima's favorite themes, apparently a historical point of faith for her, is the idea of redemption through her version of The Noble Savage. This idea, with its overtones of condescension, modulates easily into full-blown racism.

all I can do is wait
Is not put detergents in the washing-machine, so the soil will still be productive
when the black men, or the Chinese, come to cultivate it.

The other side of this pseudo-apocalypse is rejection of the mind:

well, the best thing to do with a mimeograph is to drop it
from a five story window, on the head of a cop

and a grotesque mixing up of the impulse to political change and the self-destructive aspects of "hip culture."

let me tell you, brothers, that on May 30th I went to one of our
life festivals
dropped acid in Tompkins Square Park with my
brothers & sisters
danced in the sun, till the stars
came out & the pigs
drove around us in a circle, where we stood
touching each other & loving, . . .

Revolutionary Letters is also full of advice, ranging from the gratuitous to the dangerously misleading—for example, to keep your bathtub filled at all times, that codeine is a good painkiller, and that

it is not a good idea to tote a gun
or knife
unless you are proficient in its use . . .

it is
possible even on the east coast
to find an isolated place for target practice
success
will depend mostly on your state of mind:
meditate, pray, make love, be prepared
at any time, to die

This mixture of dime-store mysticism and violence is what Diane di Prima has to tell us about revolution.

But why bother with *Revolutionary Letters,* if it's really such bad poetry and such mindless politics? One reason, apart from the popularity and possible influence of the book, is that it is, in many ways, an extension of a whole tradition of non-thinking in modern literature. The back-to-nature romanticism of D. H. Lawrence, the degenerate apocalypse of Gottfried Benn or Valery Brysov—that is the most truly decadent form of bourgeois culture, the kind that leads, by a fairly direct route, to political fascism. Like these writers, di Prima attacks the present not by analyzing it but by postulating a more "organic" past, or a non-Western world that has in fact never existed. In American poetry we associate these attitudes mainly with T. S. Eliot and Ezra Pound. But in the cases of Eliot, Pound, Lawrence, Benn, et al., we forgive their inability to think clearly about politics in the present tense because of the artistic power and beauty of their verse. These writers are saved from their political judgments by their passionately accurate *sense* of what was going on. What we see in *Revolutionary Letters* is the same bankruptcy of political intellect without any compensating aesthetic dimension.

Diane di Prima is willing to look almost anywhere for salvation, except toward the United States as it exists today. But why shouldn't this country be as good a place as any in which to create the future? Notwithstanding the real virtues of other cultures, it may well be that right here—where we confront, every day, our own most exciting and dangerous possibilities—we are often acting as the cutting edge of the future for the whole world. But even if this isn't so, haven't we learned by now that *our* revolution is not happening somewhere else? There is another tradition of revolutionary poetry, one that has just begun to have an influence in this country with the recent translations of writers like Alexander Blok, Nicanor Parra and César Vallejo, and that does not deny the possibilities of the 20th century. But Diane di Prima seems either ignorant of or indifferent to this direction, though I think it is our most important alternative to private poetry and "Socialist realism." It is unfortunate that she has written a mindless book at what may, just possibly, turn out to be a crucial time. □

Life as a B-Movie

BETRAYED BY RITA HAYWORTH. *By Manuel Puig. Translated by Suzanne Jill Levine. E. P. Dutton & Co. 222 pp. $6.95.*

RONALD DE FEO
Mr. De Feo's short stories have appeared in the Transatlantic, Massachusetts, North American *and* Roanoke Reviews.

In *The Day of the Locust,* Nathanael West imagined a world populated by people who seemed to be "on," acting out rather than simply living their lives. Some of them became so immersed in their roles that they often found themselves play-acting even in quite serious and threatening real-life situations. Life had become one big B-movie. The world in which they existed (a surrealistic Hollywood) did not shake them out of their dream lives, for it was as artificial and ridiculous as their adopted personalities.

Manuel Puig's characters, who live in a small Argentine town, are not as badly off as West's, not nearly as pathetic or lost, but they too have been influenced by second-rate movies and cheap novels. They talk to themselves throughout most of *Betrayed by Rita Hayworth,* and in their lengthy, elliptical, stream-of-consciousness monologues, we come upon vaguely familiar phrases, patterns of thought, patches of description—familiar because they originated with some hack screen writer or novelist whose work we have had to endure.

Toto, a young boy who is a devoted moviegoer, is always drawing parallels between life as it is lived and life on the screen. He is disturbed when real situations do not resolve themselves as conveniently and romantically as fictional ones. He feels, for example, that an acquaintance, Raul García, is too handsome to become involved with the rather unattractive girl he has been seeing: the movies have taught Toto that the beautiful marry the beautiful. Raul reminds him of a bad gangster who has turned good, and therefore he deserves a beauty. Even the first-grade teacher is a more likely partner for Raul, since "she's pretty and she's one of those who are poor in the beginning and have to start off as a chorus girl. . . ."

Although the characters of the novel blow up certain events in their lives to movie-screen proportion, many of these are rather cheaply dramatic in themselves. Even before they were modified, they resembled incidents in second-rate films and novels. Puig is interested here in showing how very similar life can be to low-grade fiction, and he often erases the line separating comedy from tragedy, exaggeration from truth. A genuinely tragic event can quite easily be seen as an absurdly theatrical and comic one. A horrible fear can seem laughable; an overwhelming desire hilarious. Toto, for example, fears the end of the world—a realistic enough fear. But his vision of it (influenced by a nun's account), with the earth being split down the middle by a lightning bolt, seems quite silly, like a scene from a wide-screen religious spectacular. Esther, who is seriously concerned about the future of the friendly

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

dean at her school, unconsciously cheapens that concern by trying to inflate it: "Is our dean leaving? because he is sick? is it or isn't it true? What evil lurks behind all this?"

The monologues dominate the novel, and Puig handles them superbly. Often that device gives the reader claustrophobia; the character talks on and on; outside reality is filtered through his consciousness, with the result that all events described "sound" the same; the character is so involved with himself, so closed off that he does not seem to be functioning in any recognizable world. Puig's monologues are "open." They allow the characters to breathe. Even though a speaker focuses on himself, he discusses himself in the context of his world. He talks of his friends, relatives and acquaintances, and he reveals himself through his relations with them. In other words, the monologues are filled with action, movement, incident. Puig's sense of humor is always in evidence—not only his ability to record funny bits of business and conversation but his knack for describing, in another voice, absurd fantasies and fears. Each monologue is delivered by a different character. Although they share the same background and have had similar experiences in life, Puig captures their individual voices, their particular sensibilities. Except for occasional lapses, when the author gets a bit too ornate, his people always seem to be in character.

Puig produces a number of marvelous portraits—some outrageous, others quite serious, all rather loving. Héctor, who fancies himself a ladies' man, is terribly disturbed by an uncooperative girl he is pursuing. The impossible girl, whom he affectionately calls "Pug-nose," haunts him. She is something of an intellectual, and he attempts to impress her by reading her favorite author, Dostoevski. But Héctor fails miserably: ". . . she gave me *Crime and Punishment* and I couldn't put up with more than ten pages of reading names and more names which always looked different and were the same, more names than a telephone directory. . . ." And in his portrait of the small, religious girl, Teté, Puig creates another haunted character. Her situation, however, is much more troubling than Héctor's. Her mother is in critical condition. Teté is obsessed with the notion that she must pray to prevent her mother's passing. When the light in Teté's room is turned off at night she is reminded that another day has gone by, and she wonders if she has prayed enough and confessed all her sins. ". . . don't turn off the light," she pleads with her father, "not yet, wait a minute . . . wait! . . . just a minute!" The situation is made all the more terrifying by the fact that Teté is not actually talking to her father but merely shouting to him in her mind. Like so many fears, this one goes unexpressed.

The monologues develop through a kind of free association; one thought, one image, one conversation leads to another. At times, when a more complex character is introduced, the speech pattern, the thinking process, is cyclical. Mita's baby has died. She tries not to think of her loss. Her thoughts stray to Romeo and Juliet, and she asks, "Why doesn't God change his mind and make everything turn out well?" She then imagines the two lovers being carried away by a hurricane to paradise. She recalls the bird of paradise and sees herself being carried by the creature. The bird is wounded, and Mita dresses the wound. And then she says: ". . . there's a story in which the fairy rewards kind people and turns the bird into a prince, and a prince is what I want, a prince of men, a beautiful little prince wrapped in his soft angora layette. . . ." Mita, in this intricate passage, has returned unconsciously to her own tragedy. The reader, who has followed the seemingly insignificant digression, is now shaken by its relevance.

Betrayed by Rita Hayworth is a funny, poignant, perceptive piece of fiction which is not overwhelmed by its adventurous techniques. In short, a rarity in contemporary fiction, an experimental novel that is not concerned more with technique than with emotion. □

FILMS/Robert Hatch

The people of John Cassavetes' *Minnie and Moskowitz* suffer an inability to communicate, brought on for the most part by crises of identity. This causes them to shout at one another, particularly in restaurants, and to engage in bloody but apparently innocuous street brawls. The film strives insistently to be endearing, but since I dislike being yelled at, and unpredictable punches make me nervous, I was not altogether won over.

The purpose of the film is to show how Minnie (Gena Rowlands), an emotionally bruised and lonely woman, is brought to understand that she loves and should marry Moskowitz (Seymour Cassel), a parking lot jockey. Moskowitz's mother, Sheba, says the word about him—"an Einstein he isn't"—which is not a witty line but accurate. She also asks how the couple expects to eat, a point that had been puzzling me. Indeed, Mrs. Moskowitz's role (she is Katherine Cassavetes) seems to be to anticipate reviewers' misgivings about this most improbable union. She didn't explain, though, how Minnie supports a Los Angeles duplex (or is it a triplex?) done up in decorator high style on what she makes working in the basement of the local art museum. Surely the clammy woman-slapper who walks out on her when his wife cuts her wrists in the bathroom hadn't been paying the bills.

However, financial plausibility may be irrelevant to this larking about, for Cassevetes labels the picture a fairy story, and Cassel, who takes charge with the ruthless whimsicality of Danny Kaye, does seem to emerge from the Walt Disney bestiary. He has sad eyes, a buffoon's nose, a Pancho Villa mustache (but rust colored) and a pigtail. He runs with the hop, skip, jump of a rabbit dodging shot and drives his pickup truck in a serpentine of U-turns. He has a good voice and would, I think, be likable enough if Cassavetes were not whipping him into prodigies of lovability.

Miss Rowlands has a particular gift for looking ill at ease, of which the script takes full advantage. On such occasions she hides behind dark glasses —an accurate enough bit of psychological business that has become a screen tic (though her glasses have the unusual property of varying in opacity with the intensity of her embarrassment). The trouble with her performance is that she looks ill at ease when that is not the indicated reaction, so that I got the impression that the whole picture made her uneasy.

But perhaps I was projecting my own feelings. *Minnie and Moskowitz* opened

Free to Authors

OF BOOK MANUSCRIPTS

Is your manuscript ready (or almost ready) for publication? Send for this valuable booklet packed with information every writer should have. Tells how to get your work published, promoted, distributed. Write Vantage Press, Dept. FR-59, 516 West 34th Street, New York, N.Y. 10001

THE NATION'S BEST PUZZLES

Book 3—$2.00

All 3 books—$4.00

Frank W. Lewis

c/o 15 Lakeside Drive, Greenbelt, Md. 20770

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in New York in Christmas week, and is cute enough to be a big success.

Anthony Burgess is a serious-minded writer who indulges a not entirely advantageous tendency to kid around. He likes to spoof his readers, and to shock the daylights out of their quaint, middle-class sensibilities. In the case of *A Clockwork Orange*, his novel of a few years ago, Burgess may also have been influenced by an intimation that his "message" was not as original as a man of his profundity would desire. It is, briefly, that the terrorist gangs which may be predicted as emerging in the final stages of democratic decadence will not in themselves be Fascist (merely brutal and obscene), but that the measures required to eliminate them will facilitate the organization of a Fascist apparatus.

Suspecting, perhaps, that others would stumble independently onto this insight, Burgess embellished it with some science fiction fascinations, a good deal of eroticism under appalling circumstances and an invented argot (Burgess is a gourmet of language). The result was a bizarre and sufficiently popular novel.

It is not good practice, I know, for a reviewer to advise a director as to how he might have better adjusted a book to the screen—the practice has a flavor of wisdom after the fact—but I cannot help wishing that Stanley Kubrick had been less seduced by the oddities of Burgess' imagination and had presented the book's central proposition with less tinsel. For a film entertainment—and the picture aspires to no more—the message is arresting enough, and the author's japes work less well on film than they did in print.

It made me impatient to hear a quartet of British juvenile delinquents addressing one another as "Oh, my brother," inverting their sentences to achieve a mechanical effect of antiquity and throwing in a sprinkling of jabberwock nouns and verbs to suggest that we have taken a short trip in the time machine. Speech mutates in more ingenious ways than any of this piffling would suggest. Alex, the leading hoodlum (Malcolm McDowell) is enamored of a largish snake and conjures up orgiastic visions from the major works of Beethoven. I don't recall whether or not he was given those attributes in the novel; on the screen they seem routine wardrobe properties. The sets are a mixture of motel chic, *1984* monumental desolation and debased Cocteau, and do less to suggest the future than to evoke a good many earlier movies. The ruffians drink hallucinatory milk punches, but nevertheless maintain combat technique at a black-belt level.

Into all this is woven some really nauseating viciousness, but I was so aware of the attempt being made simultaneously to titillate and outrage me that I retreated prudently into objectivity. Only in the last quarter of the film, when a Parliamentary cabal springs Alex from the penitentiary and subjects him to some Pavlovian conditioning for the good of his soul and the advancement of their political fortunes did the picture engage me. The brainwashing is a little simplistic to be probable, but as allegory it was not farfetched. I also liked the touch that, during his months in jail, Alex's subordinate marauders have been enlisted into the police—but there are enough precedents around the world to disqualify this development as soothsaying.

McDowell is good, in that he is loathsomely attractive; his followers are colorless, except for Warren Clarke, who plays a feeble-minded sadist with the conventional oafish laugh. The whole affair is photographed in da-glo color, and the cast is so heavily made up as to suggest that in the near future all England, irrespective of sex or social position, will resort to rouge. If that was intended, at least one of the Englishmen should have been shown with his paint pots.

It is not as great a jump as you might expect from *A Clockwork Orange* to the Roman Polanski-Kenneth Tynan version of *Macbeth*, the latter also being seen as a bloody affair of hoodlums, enacted in a fantastic other-world. I am not inclined to go on about it, because I would be largely repeating what I have said before about the filming of Shakespeare's tragedies. The camera encourages directors to take advantage of one side of Shakespeare—his melodrama. But in the process they too often lose the other side—his sense of high occasion. The King's castle at Dunsinane is not, after all, the Last Chance Saloon; Macbeth and Macduff are not merely a pair of brawlers trying, like enraged lobsters, to beat each other to death with their armor plate. Dynasty hangs on the issue, and you cannot suggest that if you do not give the play the stature of distance. Played so intimately that I see the cold sweat on Macbeth's brow and so domestically that I am favored with the sight of his Lady's bare buttocks, the tragedy is diminished to the sordid opportunism of a James M. Cain shocker (no offense to Mr. Cain, a fine practitioner). It troubles me that Macbeth's redoubt has been conceived as a mocha pastry perched on a marzipan stalagmite, so that when Duncan says, on approaching it, "This castle hath a pleasant seat," the audience laughs. Indeed the audience stirs ever and again at the incongruity of Shakespeare's poetry spoken (in fragments) against the bedlam. I recognize the energy that went into the picture; I sympathize with the purgative value it may have had for Polanski. But I cannot see the profit in this visually expansive, morally reductive approach to Shakespeare.

Jon Finch and Francesca Annis are a handsome pair of lovers. They manage to look as vicious as their scheming servants, they can mouth distraction, and they move with the clean authority of their youth. Whether or not they would have been capable of authority under other auspices, they did nothing in this production to establish it. □

THEATRE

HAROLD CLURMAN

More and more, theatre critics are summoned to review performances which call for the opinion of connoisseurs of popular music. I should not object to this confusion of categories in the instance of *The Wedding of Iphigenia* because it is sung (and barely acted) by a chorus of twelve attractive young women.

Still this *Iphigenia*, by Doug Dyer and Gretchen Cryer, with music by Peter Link (who plays the acoustical guitar) at Joseph Papp's Public Theatre has only an oblique connection with theatrical art except insofar as everything nowadays "staged" or just happening for public display is dubbed "theatre." Let it pass! The dramatic half of the evening, "adapted" from Euripides' *Iphigenia in Aulis*, in which today's youth dispute the credibility and the morality or lack of it in that "story," means very little any way you look at it. What's Iphigenia to them or they to Iphigenia? (The generalization that Euripides' play deals with the conflict between personal sentiment and public need—and we know what the young feel about that—has little bearing on what we see and hear in the present entertainment.) But the aforementioned twelve Iphigenias sing in rock chorus and sing well. They compose the best looking group of girls on the New York stage today.

The second and more satisfactory half of the evening is frankly a concert, and what you think of that, apart from the visual pleasure, depends to some degree on what you think of the music. I venture the opinion that it is middling as rock fun, but I do not insist on this, because I am more apt to arrive at a confident reaction to a piece by Elliott Carter or Pierre Boulez than to a rock number.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The fine distinctions which rock buffs are able to make elude me. I can tell only when the stuff is extremely striking or very bad. Peter Link's contribution affected me as occupying a position somewhere in between.

There is a Slavic proverb, "To a drunkard there's no such thing as bad booze." It applies to most youngsters in regard to rock music. They go wild at every boff and bang of it. The audience at this Iphigenia responds orgiastically. An explosively happy outburst of energy on the part of any singer is echoed by an even more ecstatic outcry from the listeners. Primitive ritual must have possessed something of the same impulse. I was reminded of the last line in one of Aeschylus' plays, "Shout, ye people, the chanting is done!" And while, I believe, with Picasso, that "what is essential in this time of moral poverty is to create enthusiasm," I am not certain whether the mindless excitement generated in the rock intercourse of the Iphigenia evening bodes future beneficence or its opposite.

New York has a new playhouse. It was built by the Fisher Brothers for the American Place Theatre, an organization which for some years now has provided much worthwhile dramatic fare at St. Clement's Church, notably Robert Lowell's *The Old Glory*, Ronald Ribman's *The Journey of the Fifth Horse* (with Dustin Hoffman), several plays by Ed Bullins, William Alfred's *Hogan's Goat*, a dramatization of some of Flannery O'Connor's stories. The new 299-seat theatre is located in the basement of an office building at 111 West 46 Street. It is a comfortable and serviceable house, well suited to the American Place Theatre's requirements.

Fingernails Blue as Flowers by Ronald Ribman and *Lake of the Woods* by Steve Tesich compose the opening bill at the organization's new premises.

The first of these is a curtain raiser which adds nothing to Ribman's reputation as a serious playwright. It is a sort of composite portrait or "collage" of an international capitalist. He is a commanding megalomaniac; he wants to take over the world. Nice people don't listen but avoid him. He is anti-Semitic and otherwise totally without feeling. He is erudite, "cultured," and a gourmet. He is sexually rapacious, and basically a cretin. There are a few laughs in this sketch but the whole gives the impression of having been written as a passing conceit over a weekend.

Much more ambitious and engaging is Steve Tesich's play, *Lake of the Woods*. Tesich has talent, as I noted when his *The Carpenters* was presented at the American Place Theatre.

Lake of the Woods too is about a middle-aged, well-to-do businessman. A New Yorker impaled in his office in the high-rise Krapp building, he wants to refresh himself from the staleness of his environment and duties. He takes his wilting wife, to whom he has been married for twenty-five years, and his daughter, ailing for want of human "air," on a motor trip through the country. But most of the spots, singled out as points of interest in the guidebooks, such as the "lake of the woods" of the title are bleak, arid, deserted: "petrified forests."

Though not without humor, the businessman is acutely dissatisfied with the vacuum is which he finds himself wherever he goes. Puffing a perpetual cigar, his splenetic disappointment turns to despair. He feels old before his time and the kind of life he has led has wasted him. He wishes his enduring affection for his wife to become ardent again with flashes of the early fire. He wants to find some means of arousing his daughter from her abiding melancholy. But instead his car is robbed by young hoodlums on the road; an old forest ranger (or frontiersman) who now has nothing to do but go to seed in the midst of the despoiled countryside, warns him that children die in the vicinity. The woebegone businessman recalls his past in the army, when he was forever urged onward by the brute orders of his sergeant. The image becomes typical of his whole futile existence.

At this juncture one supposes that the consciousness of his wretched failure in life will kill him. But now, presumably deprived of most of his goods, including his car, leaving all thought of his business behind him, he sets out with wife and daughter on a long trek to discover reality once again, a reality of his own, a reality of things instead of words empty of meaning.

The play begins brilliantly with witty dialogue bristling with sudden darts of cantankerous dismay—they voice his and our discomfort with modern urbanism—but it becomes increasingly symbolic and portentous as the evening progresses. The symbolism disrupts the pleasure experienced at the outset for two reasons: the point becomes preachment of a sort now become banal, and the prolixity of the writing takes the edge from a very fine performance by Hal Holbrook. If the script were cut by at least twenty minutes, we would be able to leave the theatre not only after a rousing ovation for Holbrook's excellent characterization and the skill, power, variety in voice and feeling he brings to it, but also with the satisfaction of praising Tesich for a clever and intelligent hit. The director and author and producer should take to the blue pencil as a savior. □

ART

LAWRENCE ALLOWAY

90 East 10 Street, the address of the Roko Gallery, is the former location of the Tanager, the first of the downtown artists' cooperatives, and in December the Roko Gallery celebrated its predecessor. The history and function of the cooperative galleries are not as well known as they should be, and deserve to be recorded. The Tanager was founded somewhat impulsively by four American artists who had known one another in Rome, two of them on the GI Bill, one on a fellowship—Lois Dodd, Angelo Ippolito, William King and Fred Mitchell—with a fifth, Charles Cajori, who shared a studio with Ippolito in New York. As Mitchell remembers it, he thought of the gallery's name, because he had always liked the scarlet birds, and King, as a sculptor, made a sign for the gallery. The first location was 51 East

'THE PRESS AND THE BAY OF PIGS'

A detailed study by
Victor Bernstein and Jesse Gordon

The role played by **The Nation** in breaking the Bay of Pigs story to the American public, reprinted from the **Columbia University Forum.**

Single copies—15c; 25 copies at 10c each
Orders over 25 at 7c per copy

THE NATION
333 Sixth Ave., New York, N.Y. 10014

The Best Way To Get THE NATION

THE NATION 1-3-72

333 Sixth Ave., New York 10014

☐ One Year, $12.50

☐ Two Years, $23.00

☐ 6 Months, $7.50

Payment Enclosed

(Add $1 per year postage for Canada and Mexico; $2 other foreign)

Name .....

Address .....

City .....

State .....Zip No.....

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

4 Street, but it moved soon to 10th Street when cheaper space became available.

The gallery ran for ten years, supported by a changing membership of eight or nine artists, who paid the rent, selected the exhibitions and staffed the gallery. Among the artists who helped run the gallery subsequently are Anne Arnold, Jean Cohen, Sally Hazelet Drummond, Sidney Geist, Alex Katz and Philip Pearlstein. (All work was voluntary until later in the 1950s, when the artists hired Irving Sandler, later an art critic and author of *The Triumph of American Painting.*) Rent was $40 a month for the front half of a walk-up storefront; the back was the studio of Perle Fine and later of Pearlstein. Louise Nevelson was next door at 92, de Kooning lived on the block, and Franz Kline was close by. That is what was meant when the Tanager artists pointed out, in a catalogue of 1965, that the gallery had "a predominately professional audience." It was a place where artists could watch one another and scent trends and crises. That was a crucial function at a time when the style range of work being done in New York exceeded the exhibition facilities at commercial galleries or museums. The uptown galleries showing New York artists were not numerous: Egan, Kootz, Tibor de Nagy, Parsons, a few more. Prior to the growth of the uptown gallery system the downtown cooperatives were the first source of information about the diversity of New York's younger artists.

In the mid-1950s, Harold Rosenberg wrote an article concerning "the art colony of East 10th Street," praising it for its freedom from the Europeanism of Greenwich Village. He represented the topography as a "no environment" (the phrase was de Kooning's) "identical with rotting side streets in Chicago, Detroit and Boston." (However, the European tradition of links between Bohemia and the underworld was said to reappear in the form of artists in old levis and bums on the street.) Rosenberg was identified closely with de Kooning and it is worth remarking that a portrait by Elaine de Kooning in the Roko Gallery exhibition was of Rosenberg's daughter (an example of the kind of connections that abound in the sociology of downtown art). When the second generation of Abstract Expressionists, who labored in de Kooning's shadow, was dismissed, their style was called "10th Street." The term has come to be slang for heavy, sticky, dragged, turbulent painting but, viewed in terms of its cooperatives, the street means much more than that.

One of the strongest supporters of the Tanager Gallery was Lois Dodd, whose paintings were on view at the Green Mountain Gallery (17 Perry Street) concurrently with the Roko homage. There was a candidly painted and subtly conceived group of paintings of the windows of a house in Maine, viewed flat-on from outside the house, with reflections on the glass and the spaces behind it rising and falling in clarity. The artist persuades the factual surface of the flat picture plane into shifting illusions, while holding to a strict pictorial pattern. Although in its first five years the Tanager Gallery showed the works of 150 artists, abundant proof of open-mindedness, there was a definite policy of interest in figurative painting. Lois Dodd's art is characteristic and today in retrospect Alex Katz considers his 1959 show at the Tanager a turning point in the recognition of his own realistic style.

The Tanager was followed by other cooperatives on 10th Street or close to it, including the Hansa Gallery (1952-59) which took its name from Hans Hofmann and the Hanseatic League. At the Brata Gallery (1957-63), a combination frame shop and cooperative run by Nicholas Kruschenick and his brother, were Ronald Bladen, Al Held, Sal Romano and George Sugarman, a group bound by ties of large scale and a kind of impure simplicity of form. Where the Tanager was fluid and loose in spirit, the Brata was a tightly knit group, without invitational shows, a jointly owned means of self-distribution. In 1959 Claes Oldenburg and Jim Dine founded the Judson Gallery and subsequently moved to the Reuben Gallery, which was downtown, but not a cooperative.

The decade of the cooperatives was exactly the 1950s. The need for such enterprises was reduced as the uptown gallery system expanded and the demands of individual development took precedence over collective effort. Many of the original social ties remain among the artists of the cooperatives and social contacts are of course translatable into ideological positions. Any study of the art of New York after the generation of the Abstract Expressionists must take account of these organizations founded, it should be remembered, entirely on the initiative of artists.

The cooperatives succeeded in enlarging the structure of the professional art world in a way that strengthened New York artists in general. Their success over the decade was aided, we can see now, by the state of the economy. Expansion was feasible in the arts, in terms of more galleries and bigger museums, on one hand, and a new generation of collectors, on the other. Hence the absorption of the downtown artists into uptown galleries. The affluence of the economy coincided with the emerging diversity of New York art. There are some new cooperatives, formed lately to promote realist groups, the First Street Gallery, the Bowery Gallery, and the Prince Street Gallery, but they will not enjoy the lift of a singularly optimistic period in American taste. □

MONEY MAKING OPPORTUNITIES

HOW TO MAKE MONEY Writing Short Paragraphs! I tell you what to write, where and how to sell, and supply lists of editors buying from beginners. Small checks can add up to worthwhile extra income. Write to sell right away. Send for free facts **BARRETT, Dept. C-468-D, 6216 No. Clark, Chicago 60626.**

EMPLOYMENT OPPORTUNITIES

EXCITING OVERSEAS JOBS

DIRECTORY $1.00
Research Associates
Post Office Box 889-NA
Belmont, California 94002

EDITORIAL STAFF for new monthly radical Negro magazine. Low wages, hard work but a chance to build a better future. Send resume and wages desired. **Box 671, c/o The Nation.**

PERSONALS

PATCHES & APPLIQUE (over 200), **POSTERS** (over 275, many anti-war) **BUTTONS** (135), **BUMPER-STICKERS** (50) and other peace items. Wholesale and retail. Catalogue with pictures 25¢ (refund 1st order). **BIG-LITTLE STORE, 1077 Mission, San Francisco, Ca. 94103.**

ABOLISH ALL ABORTION LAWS including all of New York's damnable legislation. The right of each adult human to own his or her own body is the paramount moral law, WITHOUT EXCEPTION. If it were not the woman's right to decide, then she has no right to object to compulsory abortion or sterilization either.—**AAAL, POB 36122, Los Angeles 90036.**

NOW is the time for war tax resistance. The most powerful acts against war have been those of the young men of the Resistance who have said **NO** to the draft. Now it is time for those of us who have been paying for the war in Indochina to say **NO** to taxes for war. **Join us! War Tax Resistance, 339 Lafayette St., N.Y., N.Y. 10012. Write and ask for information. Phone: (212) 477-2970.**

MEET YOUR IDEAL MATE—Scientific Computerized Matching—Nationwide. Entire cost $12. Give age. Write: **TEAM PROJECT, 1270 Broadway, New York City 10001.**

PROTEST unavailability of abortions in 5 of the world's 12 most populous metropoles—Paris, Buenos Aires, Chicago, Sao Paulo, Bombay. **POB 4069, N.Y.C. 10017.**

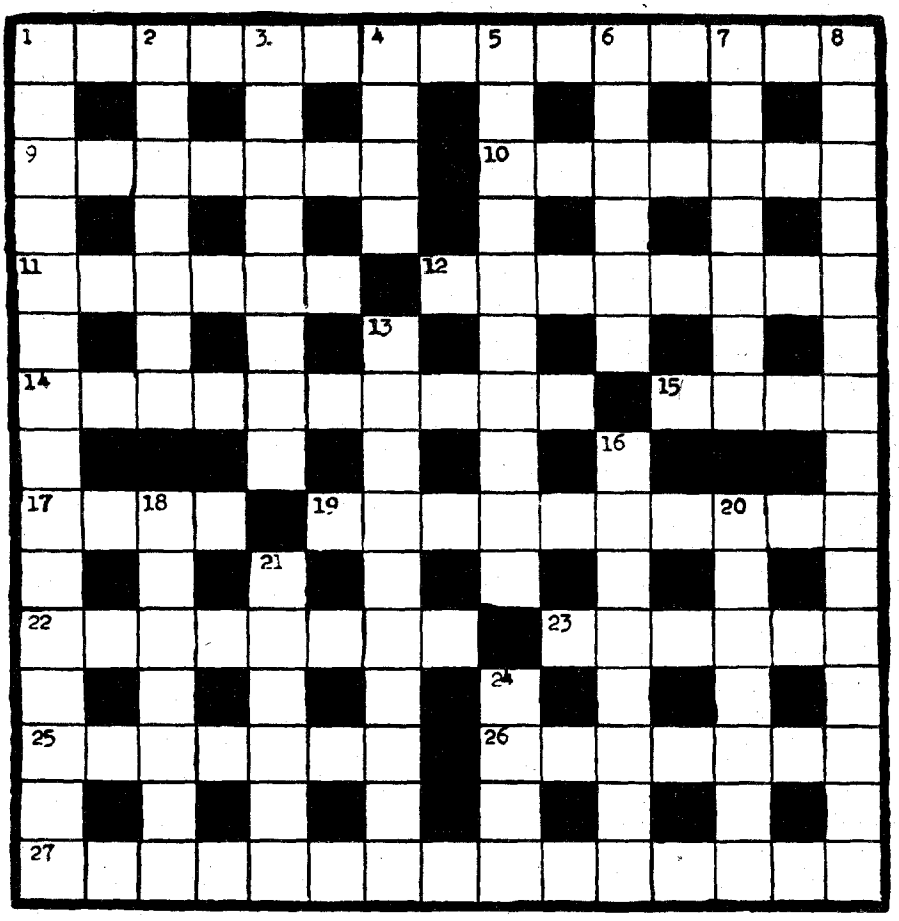
WRY IDEAS—New catalog 25c (deductible from first order). **Wry Idea Co., Box 178-T, Rye, N.Y. 10580.**

ADVERTISE YOUR NEEDS IN THE NATION

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Crossword Puzzle No. 1423

FRANK W. LEWIS



ACROSS

1 People who make excuses about the North, strangely enough, should know all about man's development. (15)
9 The nearest thing to a lounge for the GI. (3,4)
10 If there's a hassle, it's a plant! (7)
11 With the right foot moving part of the shoe? (6)
12 Plans mother makes in possibly chaste environment. (8)
14 Reflected against the team color. (10)
15 It's a strange place in Italy. (4)
17 Ancient astrologers might need a number for supernatural effects. (4)
19 Be calm, pal! I might be hard to pacify! (10)
22 Once wept in an outburst of what is no longer valid in England. (8)
23 Would the French have to be in the money to afford such a carriage? (6)
25 In space-age jargon, right on the money (7)
26 Spanners for the poet. (7)
27 This might help you reach the heights, if you expand it. (9,6)

DOWN

1 See 4 down
2 Essay with a few words added in a converter for the body. (7)
3 Perhaps hid a sore spot in Africa. (8)
4 and 1 down March might imply a short haircut and a condition with respect to the time. (4,3,12)
5 Huguenot stronghold associated with an undone collar and a broken-down heel. (2,8)
6 Does it give you the green light to sort of urge a chiseler? (6)
7 Not exactly a good mark to sailors, though once regarded as sacred. (7)
8 One's charges should go down quite a ways, but only for a sandwich and a glass of something to follow. (9,6)
13 What makes the dish is thin, proving I'm clever, in a way, at 51. (10)
16 Turbulent Asiatic sea by the sound of it, implying trouble. (8)
18 At the end of your rope, perhaps, caught in a pogrom meticulously carried out. (7)
20 Vaunted boast, ragged without something to dry things. (7)
21 The banner of state, shortly to get on with it. (6)
24 Something black made out of bone. (4)

SOLUTION TO PUZZLE NO. 1422

ACROSS: 1 Andersonville; 9 Gates; 10 Minuteman; 11 Omicron; 12 Terence; 13 Maids; 14 Nettle bed; 16 Right turn; 18 Plain; 19 Chimera; 21 Termini; 22 Nicaragua; 23 Up-end; 24 Gamma globulin. DOWN: 1 Anglo-Americans; 2 Detailing; 3 Resorts; 4 Osman; 5 Vingt-et-un; 6 Literal; 7 Elman; 8 Unter den Linden; 14 Neuralgia; 15 Beau ideal; 17 Theorem; 18 Perturb; 20 Incog; 21 Trail.

MUSIC

FREE 162-PAGE CATALOG offers over 1,000 fine recordings of **Renaissance, Baroque, Classical, Romantic and Modern music.** All late **stereo** recordings. Highest quality at budget label prices. Available only by mail from **MUSICAL HERITAGE SOCIETY, Box 932 NA, New York, N.Y. 10023.**

RECORDER, GUITAR, GAMBA MUSIC. Write for free listings. **Provincetown Bookshop, 246 Commercial St., Provincetown, Mass. 02657.**

EDUCATIONAL

EXTERNAL DEGREE PROGRAM for well informed, highly motivated adults wishing to complete undergraduate education. Two-week resident periods on Goddard campus alternate with six-month independent study projects carried on at home under faculty supervision. Program leads to Goddard Bachelor of Arts degree. **Write Box E, Adult Degree Program, Goddard College, Plainfield, Vermont 05667.**

PUBLICATIONS

FREE—Self-help Newsletter for Alcoholics. **Jan. issue features THE ALCOHOL ADDICT IN U.S. PRISONS.** Mail stamped addressed envelope for **PANORAMA** to: **Real New Books, Box 1432, GPO, N.Y.C. 10001.**

LAST WHOLE EARTH CATALOG, 448 pages, $5.35. **SOURCE #1,** Communications, $1.75. **BOOKPOST, 2770C Broadway, New York City 10025.**

1972 LIBERATION CALENDAR; photos, quotes and dates from African liberation movements. $1.50. **Liberation Support Movement Box 338, Richmond, B. C., Canada; Box 814, Oakland, CA 94604.**

LABOR CLASSIC of 1894, The Pullman Strike, (Carwardine) now reprinted by **Illinois Labor History Society, Room 1900, 205 W. Wacker Drive, Chicago, Illinois 60606.** $8.00 cloth . . . $2.50 paper . . . Nice Gift.

WORLD DEMOCRACY by Bin Dir Woor. Self-Designated Symbolical World President. Unique, Entrancing. **$2. Greenwich Book Publishers, 282 7th Ave., New York City.** Like many saints and others, **Bin Dir Woor** promises, God willing, to return many times after death. Purpose, to promote World Democracy. Reader, do the same.

LITERARY SERVICES

WELL-KNOWN EDITOR-WRITER analyses and/or revises fiction—non-fiction. Market ideas. **Box 666, c/o The Nation.**

SERVICES

BOOK PRINTING—Paperbacks hardcover, pamphlets. As few as 200 copies. Quality printing at Budget Prices. Free details. **Box 285N, Floral Park, N. Y. 11001.**

MOVING? Professional moving at competitive rates. Anytime, anywhere. Licensed, insured, experienced. **THE COVERED WAGON, ALgonquin 5-1788 (N.Y.C.)**

LAKETON VANS. The complete-service movers. Licensed, Insured, Trustworthy. Get the best for less. **Call (212) 672-5092.**

ADVERTISING RATES

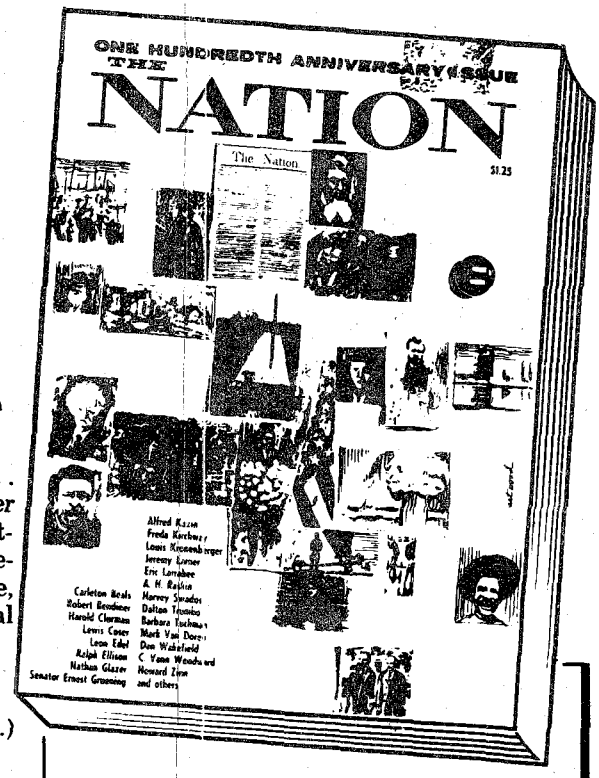
Classified: 74c a line (6 words) 3 line min.

Classified Display: $7.42 per inch (min.)

THE NATION, 333 Sixth Ave., N. Y. 10014 242-8400

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Take this big 336-page 100th Anniversary Issue ABSOLUTELY FREE when you subscribe to THE NATION for 6 months or 1 year at these money-saving rates.



Provocative and venturesome . . . truly a Collector's Edition . . . *as relevant today as the day it was first published, September* 20, 1965. Over 40 full-length articles and commentaries, reflecting THE NATION's century of travel upon the route of independent expression and dissent . . . and a look into the future, to foresee where we are likely to find ourselves in the critical years ahead.

Here is the character and tone of THE NATION – the award-winning forum for all free-thinkers who are not afraid to challenge the age-old illnesses that still confront us today: anti-intellectualism, intolerance, injustice, imperialism, inertia. Old voices, new voices, too . . . the forthright comment by those who seek to examine and re-examine, expose and oppose, question and criticize the causes of our day.

We'll send you this big, 336-page 100th Anniversary Issue *as a Bonus* when you subscribe (or extend) now at these low, money-saving rates:

- *1 YEAR – $12.50*
  (You save $11.50 on single-copy newsstand price.)
- *6 MONTHS – $7.50*
  (You save $4.50 on single-copy newsstand price.)

Whether you're a liberal or conservative, radical or revolutionary . . . let THE NATION help keep you up-to-date on the most absorbing political and social issues of our time – week after week.

Enclose remittance now, if you wish – or ask us to bill you. But mail the coupon *today*, while limited supplies of this special 100th Anniversary Issue are still available.

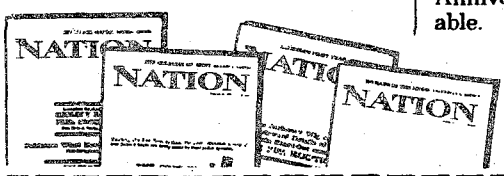
1865: The Great Transition	Abraham Eisenstadt
Fashions in Liberalism	Robert Lekachman
The Staggered Culture	Louis Kronenberger
American Journalism: Essay to Assay	Penn Kimball
The First Anti-Imperialists	Barbara Tuchman
In Pursuit of Sandino: Imperialism Still Rides	Carleton Beals
Waiting for Reality: Death of a Small Town	Dan Wakefield
Waiting for Reality: Birth of the Megalopolis	Scott Greer
The Fat Cats of Labor	A. H. Raskin
What's Left of the Left?	Harvey Swados
Deviance and Deviates	Howard Becker
The New Improved Drug Scene	Jeremy Larner
Woman's Search for Identity	Hilda Sidney Krech
"Tell It Like It Is, Baby"	Ralph Ellison
The Peoples of America	Nathan Glazer
Flight from History: The Heritage of the Negro	C. Vann Woodward
The South Revisited	Howard Zinn
"The South As It Is"	John Richard Dennett
Hollywood in Black and White	John Oliver Killens
A Different Drum	George W. Broadfield
The Fear of Positive Thinking	Lewis A. Coser
Public Education for Private Enterprise	Edgar Friedenberg
Is Freedom Academic?	Louis Joughin
Honor Bright, and All That Jazz	Dalton Trumbo
America's Schizophrenic View of the Poor	Paul Jacobs
Time to Kill: Automation, Leisure and Jobs	Eric Larrabee
The Literary Mind	Alfred Kazin
The New Apocalypse	Eugene Goodheart
THE NATION *and Its Poets*	Alexander Laing
Poems:	Robert Hazel, Denise Levertov, Wendell Berry
Theatre: The Laggard Art	Harold Clurman
TV: The 21" Bore	Robert Alan Aurthur
Notes on the New Style	William Phillips
Henry James and THE NATION	Leon Edel

. . . and many, many more

Recent Awards to THE NATION

1971 – **University of Missouri School of Journalism** – for writing in the category of General Circulation Magazines.

1970 – **Columbia School of Journalism** – National Magazine Award.



THE NATION *333 Sixth Avenue, New York, N.Y. 10014*

Please ☐ *enter* ☐ *extend my subscription to* THE NATION for the term checked below. Also send — as a Bonus — my free copy of the special 100th Anniversary Issue.

- ☐ 1 year — (48 issues) — $12.50
- ☐ 6 months — (24 issues) — $7.50
- ☐ Remittance enclosed.

PRINT
Name _____

Address _____

City _____ State _____ Zip _____

(Add $1 per year postage for Canada and Mexico; $2 other foreign.) N. 1-3

GIFT SUBSCRIPTIONS

Timely and appropriate for any friend or relative you especially want *to please. Attach separate* sheet with names and addresses; we'll send gift cards in your name. Send $12.50 for each 1-year gift, including FREE 100th Anniversary Issue for you.

QUOTE: *"I have, of course, disagreed* with a number of articles which have appeared in the THE NATION over the years. At the same time, however, I have always respected the courage and forthrightness of the editors in stating the facts and analyzing them."

– Sen. William Proxmire

QUOTE: "It is a publication which has advanced the public interest and which understands that truthful speaking by an enlightened public is essential to a nation's well-being."

– John V. Lindsay

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED